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ABSTRACT

The lessons in this volume, written by experienced Georgia teachers with backgrounds in law-related education, were designed for teachers new to this area of the social studies curriculum. The lessons, which are grouped by grade level, include the following information: author, time required, concepts/vocabulary, instructional strategies, objectives, teacher background, materials and resources, procedures, handouts, evaluation, and enrichment. The following lessons for grades 4 and 5 are included: AIDS discrimination in the school; Where have all the wetlands gone?; Don't talk to me like that!; Corporal punishment; Beware of drugs; Robby Raccoon strikes again; Copy cats lose; Distributive justice: an issue of fairness: It's mine!; Is the law really fair?; Vandalism -- who plays and who pays?; When conflicts occur, resolve to solve; Let's celebrate our Bill of Rights; You can't do that! I have a right!; Give us your tired, your poor...Really?; Do you know...the law?; We the students: writing a class bill of rights; and Child labor laws. The following lessons for grades 6 and 7 are included: Who took my desk?; Forgery in the schools; Defamation of character: slander and libel; Is the prank worth the punishment?; First time offenders get a break; I didn't think I'd get caught!; Children at work! Past and present; Who will get the kids?; It's o.k. to tell!; Is just saying no to drugs enough?; I bought it, I can copy it, can't I?; The private "t": whose "I" matters most?; What took the joy out of joy riding?; A thief by any other name...; AIDS and the right to privacy; May I use the phone?; and Georgia's water is no puzzle. An appendix includes: copies of the U.S. Constitution and the Georgia Bill of Rights; ordering information; use report form; and lessons in the K-3 supplement. (DB)

ED352294

Georgia Elementary
Law-Related Education
Curriculum Supplements

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SO 022 485

Lessons for
Fourth through Seventh Grade

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The University of Georgia

Georgia Elementary

Law-Related Education

Curriculum Supplements

Lessons for
Fourth through Seventh Grade

Georgia Elementary Law-Related Education Curriculum Supplements

Lessons for Fourth through Seventh Grade

Developed by
The Department of Social Science Education
The Carl Vinson Institute of Government

The University of Georgia

Funded by the
Law-Related Education Program of the U.S. Department of Education

Introduction

I am proud to present you, the teachers of Georgia, with the Georgia Elementary Law-Related Education Curriculum Supplement (GELRECS) for grades K-3. This fine collection of lessons was developed under a grant from the Law-Related Education Program of the United States Department of Education during the 1990-91 school year.

The lessons in this supplement were written by experienced Georgia teachers who have backgrounds in law-related education for teachers new to this important area of the social studies curriculum. The lessons stress the development of practical knowledge about the law on age- and interest-appropriate topics. Topics and activity strategies for these lessons were also selected and developed by the teacher-authors.

Beyond being teacher-written, the lessons in this curriculum supplement demonstrate several other valuable characteristics. Each lesson:

- provides necessary teacher background in the law.
- includes original line art as an integral part of student handouts and transparency masters.
- can be easily implemented in one-to-three class periods.
- promotes a positive view of law as something citizens create and control.
- fosters higher order thinking skills through the use of activities that require students to analyze, apply, create, and evaluate.
- offers an easy-to-duplicate and distribute format.
- includes QCC correlations for K-7 social studies.
- employs a variety of instructional strategies.

Teachers using these plans will find that they require very little advance preparation. Each lesson can be implemented without additional help or resources. In addition, each plan is discrete and complete, so the teacher may use as many of the lessons as desired in any order that seems appropriate.

It is my hope that you enjoy teaching these lessons on Georgia's laws and that your experience will build a desire for more information on other curriculum products and further training in this important area of citizenship education.

John D. Hoge, Ph.D.
Assistant Professor
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The University of Georgia
December, 1991

Acknowledgments

This project was undertaken as a joint venture of the Department of Social Science Education and the Carl Vinson Institute of Government at The University of Georgia, Athens. Both units graciously shared their expertise and facilities, providing support for the development and production of the GELRECS lessons.

Gratitude is also expressed to the individuals that helped review and field test the lessons, often on a tight time schedule. The feedback these individuals provided greatly improved the quality of our final product.

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TABLE OF CONTENTS

Introduction
Acknowledgments
Credits

Fourth and Fifth Grade Lessons

(Lessons are arranged alphabetically by author. When you remove a lesson for duplication, please put it back in its correct place according to the Table of Contents to make later location and use easier.)

AIDS Discrimination In The School (9 pages) **Joyce Alexander and Kristen Porter**
This lesson presents laws protecting individuals against discrimination and shows how these laws apply to people who have AIDS.

Where Have All The Wetlands Gone? (11 pages) **Suzanne Daughtry and Ann Blum**
This lesson teaches students about laws that protect our wetlands and how citizens can help save diminishing wetlands.

Don't Talk To Me Like That! (8 pages) **Sharon Fletcher and Kathleen Judge**
This lesson informs students of the constitutional right to free speech and the limitations on free speech.

Corporal Punishment (7 pages) **Sharon Fletcher and Kathleen Judge**
This lesson informs students of laws and regulations regarding the use of corporal punishment in Georgia's schools.

Beware of Drugs (10 pages) **Carol Strickland Hall**
This lesson informs students of Georgia's drug laws and the dangers of taking illegal drugs.

Robby Raccoon Strikes Again (7 pages) **Carol Strickland Hall**
This lesson enables students to identify the crime of burglary, recognize its consequences to victims and perpetrators, and design strategies to prevent burglary.

Copy Cats Lose (7 pages) **Carol Strickland Hall**
This lesson teaches students about Georgia's forgery law.

Distributive Justice : A Issue Of Fairness (10 pages) **John Hoge**
This lesson teaches students to consider three factors when deciding fair ways of distributing benefits within a group.

It's Mine! (9 pages) **LoDoris Leavell**
This lesson acquaints students with the various kinds of theft crimes and encourages them to respect the rights and property of others.

Is The Law Really Fair? (9 pages) **LoDoris Leavell**

This lesson teaches students about the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.

Vandalism--Who Plays & Who Pays? (13 pages) **Debra Mooney**

This lesson presents Georgia's laws on vandalism while helping students understand the nature of vandalism and ways they can prevent it.

When Conflicts Occur, Resolve To Solve (10 pages) **Debra Mooney**

This lesson teaches students a mediation approach to resolving everyday conflicts.

Let's Celebrate Our Bill of Rights (15 pages) **Debra Mooney and Ann Blum**

This lesson teaches students why we have a federal Bill of Rights and the individual rights and responsibilities that are outlined by it.

You Can't Do That! I Have A Right! (5 pages) **Emmett Mullins**

This lesson gives students a clear understanding of their constitutional rights and helps them see how these rights apply to real-life situations.

Give Us Your Tired, Your Poor...Really? (8 pages) **Emmett Mullins**

This lesson teaches students about the processes of immigration and naturalization and leads them to consider whether the laws governing immigration--both today and in the past--are fair.

Do You Know...The Law? (8 pages) **Emmett Mullins**

This lesson teaches students about laws that apply to the everyday lives of juveniles.

We the Students: Writing A Class Bill Of Rights (7 pages) **Emmett Mullins**

This lesson leads students to assume responsibility for their class rules by developing a "Bill of Rights" under which the class will operate.

Child Labor Laws (11 pages) **Toni Wilkerson**

This lesson teaches students the intent and historical background of our child labor laws in the United States.

Sixth and Seventh Grade Lessons

(Lessons are arranged alphabetically by author. When you remove a lesson for duplication, please put it back in its correct place according to the Table of Contents to make later location and use easier.)

Who Took My Desk? (7 pages) **Joyce Alexander**

This lesson teaches students basic information about the property rights of owners and the limits and responsibilities of property use.

Forgery In The Schools (7 pages) **Joyce Alexander**

This lesson provides an introduction to Georgia's forgery law and helps students understand how it applies to the school setting.

Defamation of Character
Slander and Libel (9 pages) **Sharon Fletcher and Kathleen Judge**

This lesson informs students of Georgia's laws regarding libel and slander and their liability regarding false statements.

Is The Prank Worth The Punishment? (10 pages) **Carol Strickland Hall**

This lesson informs students of the laws associated with damage to property and criminal mischief.

First Time Offenders Get a Break (5 pages) **Tammy Lea**

This lesson introduces students to the concept of conditional discharge for first time drug offenders.

I Didn't Think I'd Get Caught! (22 pages) **LoDoris Leavell**

The lesson provides students with knowledge about the juvenile justice process, from the time a youth is taken into custody until the case is resolved.

Children at Work! Past and Present (11 pages) **LoDoris Leavell**

This lesson teaches students about Georgia's laws regulating child labor, and offers a historical view of the conditions that led up to their enactment.

Who Will Get The Kids? (9 pages) **LoDoris Leavell**

This lesson explains Georgia's laws on child custody and helps students understand their own and their parents' responsibilities in regard to this divorce decision.

It's O.K. To Tell! (6 pages) **LoDoris Leavell**

This lesson provides students with information about the harmful effects of common illegal drugs as well as informing them of Georgia's drug control laws.

Is Just Saying No To Drugs Enough? (6 pages) **LoDoris Leavell**

This lesson provides students with information about the harmful effects of common illegal drugs as well as informing them of Georgia's drug control laws.

I Bought It; I Can Copy It; Can't I? (9 pages) **Emmett Mullins**

This lesson teaches students about the content and purpose of copyright laws and the consequences of copyright infringement.

The Private "I": Whose "I" Matters Most? (12 pages) **Janice Mullins**

This lesson teaches students that privacy is a fundamental right both for individuals and organizations in a democratic society and informs them of safeguards against threats to privacy.

What Took The Joy Out Of Joy Riding? (7 pages) **Janice Mullins**

This lesson informs students about Georgia's auto theft laws and helps students learn to resist involvement in joy riding/auto theft.

A Thief By Any Other Name... (13 pages) **Janice Mullins**

This lesson teaches students about criminal offenses related to theft and informs them of penalties and punishments for conviction of these crimes.

AIDS And The Right To Privacy (7 pages)
Kristen Porter and Joyce Alexander

This lesson teaches students that the constitutional right to privacy extends to individuals who have contracted AIDS.

May I Use The Phone? (8 pages)
Toni Wilkerson

This lesson introduces students to Georgia's laws on telephone harassment and teaches other meaningful, legal ways to resolve conflict situations.

Georgia's Water Is No Puzzle! (14 pages)
Toni Wilkerson

This lesson teaches students about the sources of Georgia's water; the threats to its quantity and quality ; and the laws that help protect it.

Appendix

The Constitution of the United States of America (15 pages)
The Georgia Bill of Rights (3 pages)
Ordering Information (1 page)
User Report Form (1 page)
Lessons in the K-3 Supplement (4 pages)

Fourth and Fifth Grade Lessons

AIDS DISCRIMINATION IN THE SCHOOLS

GRADE LEVEL: 4-5 **AUTHOR:** Joyce Alexander and Kristen Porter

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

AIDS; HIV; handicapped; discrimination; prejudice; stereotyping

MAIN IDEAS:

a. The government has laws that protect people with AIDS from discrimination.
b. AIDS discrimination is based on prejudice, stereotyping, and unfounded fear.

QCC CORRELATION:

Content

4-12. Determines that ways of living change over time and explains ways these changes occur (past and present)
5-29. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

4-8. Analyzes information from two or more sources for agreements, contradictions, facts and opinions
5-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Discussing myths and facts surrounding AIDS
Role playing scenarios involving AIDS discrimination
Making a poster to inform others of AIDS facts

OBJECTIVES:

The learner will:
--define terms used in the lesson.
--apply the law on AIDS discrimination to solve scenario problems.

TEACHER BACKGROUND:

AIDS stands for Acquired Immunodeficiency Syndrome. It is a disease caused by HIV (Human Immunodeficiency Virus). AIDS often stays dormant for many years and people do not realize that they have acquired it. AIDS does not kill in and of itself. AIDS affects the immune system and makes the body unable to fight diseases. When symptoms do appear, they look just like symptoms of common diseases--coughing, fever, diarrhea, and swollen glands.

AIDS cannot yet be cured. Scientists expect that finding a cure or vaccine will take many more years of research. Currently, 1.0 to 1.5 million people in the United States are infected with HIV. It is estimated that 365,000 Americans have contracted the AIDS virus, and as many as 66,000 will die from AIDS in 1992.

As AIDS increases, we in the schools are going to have to learn how to deal with co-workers and children with AIDS. We, and the children we are responsible for, need to be informed of the laws concerning AIDS.

Any agency receiving federal funding is prohibited from discriminating against people with AIDS through the Federal Rehabilitation Act of 1973. The Federal Rehabilitation Act states that otherwise qualified people cannot be discriminated against on the basis of their handicaps. An individual with a handicap is anyone who "has a physical impairment which substantially limits one or more of (his or her) major life activities" (Section 504 of the Rehabilitation Act).

One of the Rehabilitation Act's purposes is to protect individuals with handicaps "from deprivation based on prejudice, stereotypes, or unfounded fear...(while still considering) the legitimate concerns" of others. Thus, if the probability of transmitting the disease is high, discrimination may be legal. However, evidence to date shows that AIDS is transmitted through intimate sexual contact and contact with AIDS-infected blood.

MATERIALS AND RESOURCES:

Handouts

1. AIDS Inventory--Myth vs. Reality (also used as a transparency)
2. Definitions: What Is AIDS (also used as a transparency)
3. Court Rulings And The Federal Rehabilitation Act of 1973 (also used as a transparency)
4. AIDS Quiz

Attachment

1. AIDS Discrimination Role Plays

Poster board or craft paper; markers and other poster-making supplies

PROCEDURES:

1. Tell the students that you would like them to take an inventory of their knowledge about AIDS. Distribute Handout 1 and allow time for its completion.

2. Show the overhead transparency version of Handout 1 and go over each question asking for a show of hands in order to determine the students' level of AIDS knowledge. Discuss the correct answers.

   Answers to inventory items:

   1. FALSE. There is no indication that AIDS is spread by any casual contact.
   2. FALSE. There is no case where AIDS has been transmitted by swimming pools. The chemicals used to treat pools kill the virus.
   3. FALSE. HIV is not transmitted by normal restroom use.
   4. FALSE. HIV cannot be transmitted by such objects. The virus would be killed by normal washing of dishes and utensils.

16

5. TRUE. If drug abusers share needles, significant levels of blood can be exchanged. That blood may carry the HIV virus.
6. FALSE. There is not a known case of HIV being transmitted by drinking fountains.
7. FALSE. As of 1991 there was no known cure for AIDS.
8. FALSE. There is only one suspected case where AIDS has been thought to have been transmitted by kissing. The odds of this are very rare. The uninfected person would have to have open sores in his or her mouth.
9. TRUE. All blood donations in the United States have been tested for AIDS since 1985.
10. TRUE. A total of 1,908 children as of October, 1989 were reported as having AIDS. More than half of those children had died by that date. By now, the numbers are at least doubled, if not tripled.

3. Tell the students that before you go any further you would like for them to understand some definitions. Distribute Handout 2, Definitions: What Is AIDS? Show the overhead version and go over the definitions. Tell the students this handout is for their information and they are welcome to keep it.

4. Start a discussion by asking children these questions:

   a. Do you think people with AIDS are stereotyped? How?
      --Do you think of an AIDS-infected person as being pale and gaunt?
      --Do you think of mostly men having AIDS or do you also think of children?
   b. Do you think there is prejudice against people with AIDS? If so, how is it manifested?
      --Have you heard of people avoiding contact with a person who has AIDS?
      --Are there hateful words or names used to describe people with AIDS?
   c. Do you think that there is an unfounded fear of people with AIDS?
      --Are people afraid to sit near a person who has AIDS?
      --Do you worry about being infected by a person who has AIDS?

5. Tell the students that there is a law designed to protect people with AIDS from these very things: stereotypes, prejudice, and unfounded fear.

   Introduce the Federal Rehabilitation Act of 1973 by showing overhead transparency and distributing Handout 3. Discuss each point and get speculations as to what these ideas mean for schools.

6. Divide the students into two groups. Give each group a role play from Attachment 1 to work on and some time to get organized. Tell the groups that the scenarios have direct bearing on the types of laws you have been discussing and ask them to decide as a group what they would do in that scenario. Have each group role play the scenario for the other group. Be sure they include principals, administrators, teachers, students, parents, community members, and the press among their characters in the role play. Debrief each role play by focusing on whether the events portrayed met the letter of the law or represented illegal discrimination.

7. Distribute poster making materials and ask the students to create informative posters to hang in the hallway telling their peers what they have learned about AIDS and the law. Encourage accuracy and creativity. Share results and display.

EVALUATION:

- Analyze the role playing and posters for evidence of students' learning.
- Administer the AIDS Quiz (Handout 4).

ENRICHMENT:

- The students could look for AIDS-related newspaper articles and magazines. These should be analyzed for legal issues as well as myths.
- A volunteer from the American Red Cross could be invited to speak about AIDS. Ask the volunteer to demonstrate the precautions taken to make sure that donated blood is not contaminated with HIV.
- Ask the children to think about how they would feel if their best friends had AIDS. Have them think especially about the ways they think their friends would be discriminated against. Have the children write letters to their friends or a story about their friends' troubles.

Handout 1

MYTH VS. FACT

TRUE FALSE 1. You can get AIDS by shaking hands with someone who has it.

TRUE FALSE 2. AIDS can be spread by swimming pools.

TRUE FALSE 3. You can get AIDS from using the school restrooms.

TRUE FALSE 4. You can get AIDS from using improperly washed eating and drinking utensils.

TRUE FALSE 5. Users of illegal drugs are more likely to get AIDS.

TRUE FALSE 6. You can get AIDS from a drinking fountain.

TRUE FALSE 7. AIDS can be cured by modern medicines.

TRUE FALSE 8. AIDS is passed by kissing.

TRUE FALSE 9. All blood donated to blood banks is tested for HIV.

TRUE FALSE 10. Children can get AIDS.

Handout 2

DEFINITIONS: WHAT IS AIDS?

AIDS stands for	**A**cquired **I**mmune **D**eficiency **S**yndrome ***Acquired*** means caught or gotten ***Immune*** means protected from or safe from ***Deficiency*** means a lack of, or not adequate ***Syndrome*** means a group of signs or a group of symptoms
AIDS originally meant	the final stages of a serious illness that people got because their **immune systems**, which fight diseases in the body, were weakened.
AIDS' current definition now includes	in addition to previous definition, diseases caused by destruction of the **neurological system** from the AIDS virus.
AIDS is caused by	**HIV-1**, a virus that attacks white blood cells in human blood. **HIV-1** is also called **HTLV-III, LAV** or simply **AIDS Virus**.
HIV infection begins to develop when	the **AIDS** virus enters the blood stream and attacks certain white blood cells.
HIV infection can be discovered	when **antibodies** show up in a simple blood test. **Antibodies** are chemicals produced in the blood from two weeks to six months after the **AIDS** virus enters the blood.
AIDS is called a	**contagious disease** because it is passed from an infected person to another person.

Adapted from "AIDS Unit of Instruction Grades 7-12"
Alabama State Department of Education

Handout 3

Court Rulings and the Federal Rehabilitation Act of 1973.

In 1987, the Supreme Court ruled in School Board of Nassau County, Florida v. Arline that the Federal Rehabilitation Act could be used to cover people with contagious diseases. They took into the account the following points:

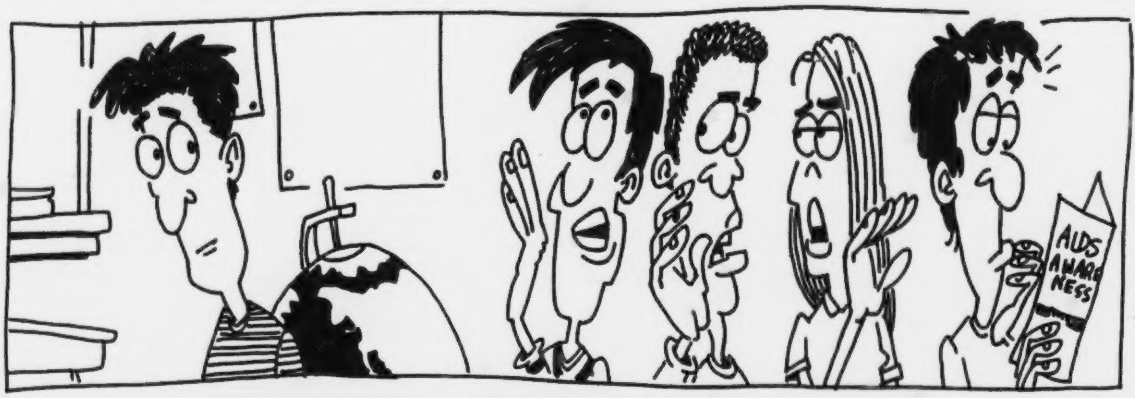
1. Programs that receive federal funding cannot discriminate against people with handicaps.
2. A person with a handicap(s) is an individual who "has a physical ... impairment which substantially limits one or more of (his or her) major life activities."
3. Section 504 of the Act states that no "otherwise qualified individual with handicaps" shall, solely on the basis of his or her handicap, be excluded from any program receiving federal funding.

The Rehabilitation Act and AIDS:

In 1987, the U.S. Court of Appeals in Chalk v. U.S. District Court, determined that AIDS is a handicap and is covered by the Federal Rehabilitation Act of 1973.

AIDS-infected individuals cannot be discriminated against by putting them in separate but equal facilities. The Supreme Court ruled in Brown v. Board of Eduction (1954) that there is no such thing as a separate but equal educational process.

If the probability that the disease can be transmitted from person to person is high in a job or in a situation, the employer or school may be legally allowed to discriminate. Thus, in dangerous jobs or jobs where the possibility of getting hurt is high, AIDS-infected individuals may lose some of these protections but only after an appropriate ruling by the courts.



Handout 4

AIDS QUIZ

1. What is AIDS?

2. Under what circumstances, if any, should a school be allowed to discriminate against teachers and students with AIDS?

3. Do you agree that AIDS should be regarded as a handicap? Why or why not?

Attachment 1

AIDS DISCRIMINATION ROLE PLAYS

ROLE PLAY ONE

Ms. Brooks, who has taught at Cedar Elementary School for many years, recently discovered she had the AIDS virus. She is a well-liked and highly professional teacher with an excellent employment record. Single and without any other means to support herself, Ms. Brooks hesitates to tell her principal of the bad news but finally schedules a meeting to convey this information.

Role Play: A meeting between Ms. Brooks and her principal.

Role Play: A group of parents considering what to do about "the AIDS infected teacher at Cedar Elementary School."

Role Play: A school board meeting where Ms. Brooks' employment is being terminated as a result of her AIDS.

ROLE PLAY TWO

Shortly before the school year started, parents and teachers at Elm Road Elementary School discovered that an AIDS-infected student was enrolling in the fourth grade. One group of concerned parents wanted to prevent the student from attending Elm Road Elementary. Another group wanted the student to be kept apart form the other students and to be taught in a completely separate area.

Role Play: The student and his or her parents' meeting with members of the group that seeks to keep the student from attending the school. Include a physician, a lawyer, and school board official in this meeting.

Role Play: The student and his or her parents' meeting with members of the group that wants to have the student taught in a separate area. Include a physician, a lawyer, and school board official in this meeting.

Role Play: The AIDS-infected student's talking to his or her best friends about what the school is trying to do.

WHERE HAVE ALL THE WETLANDS GONE?

GRADE LEVEL: 4-5 **AUTHORS:** Suzanne Daughtry and Ann Blum

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Wetlands; swamp; marsh; bog; acre; ecosystem; environment

MAIN IDEAS:

a. Wetlands, areas of land that are usually covered with shallow water, are valuable not only as a habitat for many wild animals and plants, but also in protecting water quality and regulating water quantity.
b. Wetlands need to be protected by laws and people, and their uses should be weighed carefully.

QCC CORRELATION:

Content

4-1. Identifies the characteristics of the earth's geographic patterns, e.g., deserts, grasslands, tropical rainforests, etc.
4-4. Explains how people adapt to and modify their environments
4-12. Determines that ways of living change over time and explains ways these changes occur (past and present)
5-36. Relates how the natural resources and physical features influence human activity in each region

Skills

5-11. Identifies and defines a problem related to regions and cultures
5-43. Uses map keys and legends to correctly interpret resource, product history, physical political and economic maps

INSTRUCTIONAL STRATEGIES:

Teacher explanation of wetlands and the laws governing their uses
Locating wetland areas on map of Georgia
Discussing importance of wetlands
City council simulation on use of wetlands
Demonstrating the way wetlands filter impurities and sediments
Reading of mini-plays on wetlands
Drawing different kinds of wetlands

OBJECTIVES:

The learner will:
--identify characteristics of wetlands.
--list the ways wetlands are important.
--explain the primary aims of laws affecting wetlands.
--identify ways individuals can protect wetlands.

TEACHER BACKGROUND:

Wetlands defined:

Generally, wetlands are considered to be continuously or periodically covered with water. These lands are usually so saturated with water that the vegetation that lives there is adapted to these conditions. Indeed, the key way of identifying types of wetlands is by the vegetation present. Other indicators are the type of soil and/or the conditions of land, such as limesink, in which the bottom is saturated with water or covered with shallow water during the growing season.

Fresh water wetlands (generally inland) are distinguished from coastal salt water marshes. Coastal marshes include fresh, brackish (containing some salt), saltwater wetlands, and open water. In Georgia, salt and brackish marshes are protected by the Coastal Protection Act of 1970. Coastal marshlands are identified by the vegetation (three types of plants are used as indicators) and the soil. In Georgia, the coastal marshlands are those between the outer barrier islands and the coast.

Types of wetlands:

Freshwater marshes generally have soft-stemmed plants such as grasses, cattails, and water lilies. Animals might be ducks, geese, raccoons, minks, muskrats, beavers, great blue herons, snowy egrets, bald eagles, and hawks.

Freshwater swamps will have mostly hard-stemmed plants such as trees and shrubs. Water may be a foot deep. Animals may be wild turkeys, hawks, ducks, geese, black bears, white tail deer, owls, and bobcats.

Freshwater bogs have many soft-stemmed plants, but are often hidden by trees and shrubs. You can find frogs, butterflies, sparrows, and, in some areas, black bears.

Saltwater marshes have grasses adapted to salt water. Animals to be found are blue crabs, fiddler crabs, clapper rails, great blue herons, raccoons, snails, and ducks.

Georgia wetlands:

Georgia wetlands include the Okefenokee Swamp; floodplains of the Flint, Alcovy, Altamaha, Ogeechee and Savannah Rivers; Big Dukes Pond in Jenkins County; Swamp of Toa west of Albany; and Spooner Creek Swamp in Seminole County.

Laws regulating wetlands:

Coastal marshlands are protected under Georgia's Coastal Protection Act of 1970. This act prohibits any alteration of salt or brackish marsh without a permit. Exemptions are activities of the Department of Transportation, U.S. government agencies charged with keeping rivers and harbors open for navigation, public utilities, railroads, government water and sewage systems. Private owners of adjacent land can erect docks that must be above the grass and on pilings not obstructing tidal flow.

Data suggests that fewer than 450 acres of regulated marshland have been altered by developers since the law was enacted, and this law is generally felt to have been effective in protecting the coastal marshes.

Freshwater wetlands come under Section 404 of the federal Clean Water Act of 1972, amended in 1977 and 1989. This section prohibits discharging dredge or fill materials into wetlands. Landholders seeking to alter property in ways that will cause loss or modification of more than one acre of wetland must apply for permits.

The U.S. Corps of Engineers has primary responsibility for permits. Input also comes from the Environmental Protection Agency and the U.S. Fish and Wildlife Service.

Are these laws as effective as they should be? This is controversial. Environmentalists point to weaknesses in the federal law: for example, damaging acts such as draining, dredging, excavation, and vegetation removal from wetlands are not covered.

The major controversy, however, has been the definition of wetlands itself. In 1989, the Federal Manual redefined them as land inundated or saturated for one week or more during the growing season (or land with water as much as 18 inches below the surface). To be declared wetlands, land need meet only one or two of the water, soil, and vegetation tests.

This definition has been protested by local governments and private owners (such as farmers, developers, timber, and oil companies). The Clean Water Act is due for reauthorization in 1991-92, and these groups would like to narrow the definition to land inundated or saturated for more than two weeks and require that water, soil, and vegetation tests all be met. This would threaten thousands of wetland acres.

Proposed legislation will also allow developers to create wetlands elsewhere when they seek to use an existing wetland.

MATERIALS AND RESOURCES:

Handouts

1. Importance of Wetlands
2. A Problem for Big G. (Simulation)

Attachments

1. Picture of ECO, the Wetland Wonder
2. ECO, the Wetland Wonder, Script 1
3. ECO, the Wetland Wonder, Script 2

Pictures of wetlands (clipped from a magazine or use a reference book); coffee filter and/or clean carpet scraps; poster materials

PROCEDURES:

Period One

1. Begin by showing a picture(s) of wetland(s). Use the Teacher Background to discuss what a wetland is. Explain that students will be learning the importance of wetlands, how the government protects these lands, and how citizens can contribute to these efforts.

2. Introduce the character ECO, the Wetland Wonder (Show the picture and post it in the room.) Tell students that he is a friend to the animals that live in wetlands. Explain

that the class will listen to several scripts starring ECO, who will explain some of the lesson.

3. Ask three students to read the parts of the first script (see Attachment 2): One will be ECO, the Wetland Wonder, and two will be the students. After they read the script, check to see if students understand the terms described.

4. Explain that wetlands can be found in all of Georgia's counties. Ask students if they know of any in the county. (Note that, currently, wetlands areas of all Georgia's counties are being mapped. These maps should be available in regional development offices shortly.)

   Use a wall map to show areas of the state where most of Georgia's wetlands can be found. Point out that some wetlands are found along the coast. These are the COASTLAND MARSHES. Be sure that students identify these on their maps.

   Explain that other wetlands are part of a very large area called the OKEFENOKEE SWAMP (Charlton, Ware counties). This swamp is composed of 467,157 acres in southeastern Georgia and extends slightly into Florida. To help students grasp size, point out that an acre is about the size of a football field.

   Explain that other major areas of wetlands can be found along rivers. These are called floodplains or bottomlands. In Georgia, these can be found along the Alapaha, Flint, Alcovy, Altamaha, Little Ohoopee, Ogeechee, and Oconee Rivers.

   There are other naturally occurring wetlands. These include cypress and gum ponds found throughout south Georgia. There are also limesinks or sinkhole wetlands. These can be found in the Dougherty Plain (around Albany), Valdosta area, along the Fall line, and in Northwest Georgia. Examples are Spooner Creek Swamp (Seminole County), Roundabout Swamp (Atkinson County), Big Dukes Pond (Jenkins County).

5. Ask how many acres of wetlands there are in Georgia. Explain that estimates range from about 3,500,000 to about 5,300,000, but that it is estimated that we are losing thousands of acres every year.

   Ask how many acres of wetlands there are in the United States? Explain that when America was first settled that there were 200 million acres of wetlands. Ask students how much they think remains. Explain that nearly half of that has been drained or filled (usually for farming, highways, flood control, and water supply projects).

6. Ask the students to brainstorm ways that they think wetlands might be important. Why are we concerned about their loss? List their ideas on the board. Then share Handout 1 (Importance of Wetlands) with the class. It shows a list of reasons why wetlands are important. Discuss the reasons.

   Explain that endangered species are any plant or animal that is so few in number that it is likely to disappear without special protection. It is estimated that 35 percent of endangered plants and animals in U.S. live in wetlands or rely on them.

7. Use a coffee filter or a small piece of carpet to demonstrate the term "filter." Put dirty water over a filter or carpet to show how filtering works. The students can see "sediments" separated, which helps explain how impurities are taken out of the water

in wetlands. This demonstration also shows flood control through the absorption and slowing down of the water.

Point out that some of the functions of wetlands are called life-support functions because they are helpful and are functions important to the quality of life on our planet. Ask students to identify these on the handout.

Period Two

1. Briefly review content of the Period One lesson. Then ask: What laws exist to protect our wetlands? Write the names of the Georgia Coastal Protection Act and the federal Clean Water Act on the board. Using the Teacher Background information, discuss these with students.

   Point out the ways that wetlands are harmed through draining to produce crops or timber, dredging for navigation, constructing dams or dikes for flood control, filling with waste materials, mining, and discharging harmful materials. Pollution from industries, farms, roads, homes, etc. is also harmful. Ask students: Which of these harmful uses are controlled by these laws? Which are not?

2. Discuss with students how competing uses for wetlands land and water create problems that do not have easy answers.

   Divide class into two groups or conduct role play with class as a whole. Provide each group with A Problem for Big G, Handout 2. Assign, or let groups assign roles. Students not assigned a particular role are city council members. One council member should act as a recorder. At the meeting, the mayor should allow each speaker one minute to present arguments. Council members (or others) may then ask questions of any of the presenters. They should then vote on issue.

   With class, discuss the decision (or decisions, if two groups). Ask the following questions:

   a. Would it have made a difference if the use was for private business, say to grow a crop, or if it were for a golf course.
   b. Did council members have enough information? Discuss what else they should have known, e.g.: Can the squirrel and the flower be found elsewhere? Is there an alternative for water? Is water really needed? Could water conservation resolve the problem?
   c. Could there be a compromise? Could the reservoir be relocated? Could it be smaller? Are there any other possibilities?
   d. If wetlands are important to the "health" of the planet, should a certain percentage be made public lands, with only limited uses, e.g., fishing, some cutting of timber, etc.

   Note: The simulation can be extended, allowing time to research positions, expanding base of information, or allowing council to debate issue.

Period Three

1. Assign parts for students to read in ECO the Wetland Wonder, Script 2. In this script, ECO explains how students can help save wetlands. After the reading, discuss information presented.

2. Have students draw a poster showing a saltwater marsh or a freshwater marsh, bog, or swamp (see the Teacher Background for descriptions). Each poster should give one reason in slogan form as to why wetlands are important.

3. Display the posters. Close the lesson by discussing the poster slogans and lesson content. Thank ECO, the Wetland Wonder, for his contributions.

EVALUATION:

- The posters can be used for evaluation, considering depictions of wetlands and reason given for importance.

- Ask each student to write a brief ECO, the Wetland Wonder script, providing ECO with answers to the following students' questions:

  1. What are wetlands?
  2. Why are they valuable?
  3. What is one law that protects them?
  4. What can I do to protect them?

ENRICHMENT:

- Divide the class into small groups. Their assignment will be to create a diorama of a wetland showing plants and animals and using materials such as clay, twigs, leaves, paper, etc. They should choose which type wetland they want to create. They can use material in the lesson or do further research on plant and animal life. Provide time for the groups to meet and make their plans.

- Students can research location of wetlands in the United States or other laws governing wetland use.

- Students can write local, state, and federal lawmakers or agencies expressing their concerns about wetland use.

- Students can write additional "ECO" scripts based on their research.

- Invite a speaker from the Georgia Wildlife Federation, Environmental Protection Agency, Environmental Protection Division, Georgia Conservancy, U.S. Fish and Wildlife Service, or similar group.

- Enquire about videos from the Georgia Conservancy at 8615 Barnwell Road, Alpharetta, Georgia 30201.

Attachment 1

"ECO", THE
WETLAND
WONDER
"ECO"
W

Attachment 2

ECO, THE WETLAND WONDER

SCRIPT 1

ECO: I'm glad to hear that you're learning about wetlands today. I know a lot of animals that need these lands in order to live. You know...animals like mink, wood storks, peregrine falcons, tadpoles, and butterflies.

Student 1: What does your name, ECO, the Wetland Wonder, mean?

ECO: The wetlands are where I live. "ECO" comes from the word ecosystem.

Student 2: I'm not sure what a wetland is.

ECO: Wetlands are areas that hold water. These areas can be small or very large. The water is shallow, though. In fact, the ground is just covered with water a short time of the year.

Student 1: What does ecosystem mean?

ECO: An ecosystem is a community of animals and plants that support each other. In other words, they need each other to exist. The ecosystems of wetlands are very important for all who live there. Thanks for listening to me. I'll turn the lesson over to your teacher.

Attachment 3

ECO THE WETLAND WONDER

SCRIPT 2

ECO: Boys and girls, you can do a lot to help with this problem of saving America's wetlands. You can start by being careful of how and where you throw your trash away.

Student 1: What difference does that make?

ECO: How many of you know where a drainage ditch or small stream is located near your home? Have you ever thrown anything away in it? Well, let me tell you now that the ditch or stream is leading to a larger stream, and that stream flows into a larger stream, which eventually leads to a wetland somewhere. Some of these items thrown into your backyard ditches end up in a wetland, and if it's an item like an aluminum can, it's going to be around for a long time.

Student 2: Thank you for telling me that. There's a ditch near my house and my neighbors throw their trash there all the time! I've got to get them to stop. Is there anything else we can do?

ECO: You can be careful about disposing of liquids that can harm the water system. This includes gasoline and soapy water. You can also avoid overuse of chemicals--such as pesticides and fertilizers, because these wash off into the water system and harm streams and wetlands.

Student 3: Don't put litter into streams. Be careful about harmful liquids. Anything else?

ECO: You can let your government know that you think it is important to preserve wetlands and why. Watch what is happening on TV and in the papers. Write letters to decision makers.

IMPORTANCE OF WETLANDS

PROVIDE HOMES AND FOOD FOR PLANTS AND ANIMALS: People can't live in the wetlands, but many animals and plants need this kind of environment to live. At least one-third of the nation's endangered species live in wetland areas.

Fish and Shellfish: Wetlands provide many with a home when young. Coastal wetlands are essential for shellfish like shrimp and crab.

Birds: Birds that wade, such as herons, use the wetlands to hunt for fish and frogs. Some birds, such as ducks and geese, feed on marsh plants and insects.

Mammals: Muskrats spend more time in the water than they do on dry ground because they are good swimmers. Black bears like the kinds of berries that grow in swamps, and even moose like to feast on aquatic (water) plants.

MAINTAIN WATER QUALITY: Waters move slowly in wetlands because the land is low and level. Because of that, many of the impurities are filtered out. Also, sediments are able to settle out. Oxygen is produced, and nutrients recycled.

PROTECT AIR QUALITY: Wetlands absorb carbon dioxide and help preserve the ozone layer. (This layer of the atmosphere blocks out harmful radiation.)

PROVIDE FLOOD CONTROL: Wetlands can hold excess water and slow down water traveling through them.

PROVIDE EROSION CONTROL: By trapping sediments, wetlands help keep waterways navigable and free-flowing.

PROVIDE SHORELINE STABILIZATION: Wetlands along coastal areas absorb strong waves and slow down water currents.

PROVIDE RECREATION: A lot of fishing, canoeing, hiking, and birdwatching goes on in wetland areas.

A PROBLEM FOR BIG G

SITUATION

The city council of Big G, Georgia, is concerned that there is not enough water for the city, particularly if there is another drought. The council would like to dam the river to create a reservoir for water. Flooding the area to create the reservoir would destroy thousands of acres of wetlands. The acreage has two endangered species: 1) a flower that might have medicinal use and; 2) a small, furry, and friendly squirrel.

ROLES

City Manager: Our city must have another source of water in five years. Our population is growing. The existing water supply is not enough. We will particularly need additional water if we have another year of drought.

Business person: I am trying to get a small factory moved here that will create jobs. But the factory will not want to come if there is not enough water for their operation, or if the owner thinks the community lacks sufficient water.

Chamber of Commerce representative: The water reservoir could be used for recreational purposes, such as small boats and fishing. How many people get pleasure from a wetlands?

One owner of wetlands: I would like to sell the city this land for the reservoir. As a wetland, it is not much good to me financially.

Four environmentalists: They should use the arguments from the "Importance of Wetlands" handout. They should also question the statements of others. (Does the city really need more water?)

Mayor: Presides over council meeting. Votes only if a tie occurs.

City Council members: They may ask questions of speakers. They will have to make a decision as to whether to recommend building the dam or not.

DON'T TALK TO ME LIKE THAT!

GRADE LEVEL: 4-5 **AUTHORS:** Sharon Fletcher and Kathleen Judge

TIME REQUIRED: Three class periods

CONCEPTS/ VOCABULARY:

First Amendment; mental harassment; dignity; neglect; cruelty; exploitation; discrimination (racial/religious/gender/age); fighting words; slander; libel

MAIN IDEAS:

a. The freedom of expression guaranteed by the bills of rights of the United States and Georgia constitutions is not absolute; there are restrictions on what teachers and students may say and do.
b. The United Nations' "Declaration of the Rights of a Child" sets standards for the humane and ethical treatment of children.
c. The National Education Association's "Code of Ethics of the Education Profession" provides standards for judging teacher conduct.
d. One person's rights end where another's begin.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government of our state
4-19. Examines the role of a responsible citizen in the community and state

Skills

5-20. Listens to and respects the views of others
5-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Analyzing a verbal harassment scenario
Discussing free speech rights and limitations
Listing rights and responsibilities in two documents
Group writing of classroom declaration of rights

OBJECTIVES:

The learner will:
--describe the rights to and limits on free speech.
--develop a classroom document describing rights and responsibilities of class members.

TEACHER BACKGROUND:

Teachers are certainly experienced observers of the verbal abuse students hurl at one another. Most teachers instinctively try to establish a level of civility that is essential for learning. This lesson informs students that there are standards that both guide and limit our freedom of expression. More importantly, this lesson helps students see that these guidelines and limitations apply not only to them, but to all actors in the school setting.

Following are some of the vocabulary words used in this lesson. These definitions are provided for your convenience.

mental harassment: to trouble, worry, or torment as with cares or repeated questions; irritate; create anxieties

dignity: worth; merit; worthiness; honor; reputation; self-respect

neglect: ignore; disregard; not to care for or attend to; be careless; overlook; despise; condemn; be negligent; slight

cruelty: inhumane; an action which results in pain or distress to others

exploitation: making use of others; utilizing or making unethical use of others for one's own advantage or profit; to turn something selfishly or unfairly to one's own advantage.

discrimination (racial/religious/gender/age): showing of difference or favoritism of treatment; to set apart; to show partiality (in favor of) or prejudice (against).

fighting words: expressions likely to cause a breach of the peace; words that incite violence.

slander: a spoken expression about a person that is false and damages his/her reputation. (A true statement is not slander.)

libel: the intentional deed of writing, printing, or broadcasting of false information damaging to someone. (A true statement is not libel.)

Bill of Rights--U.S. and Georgia

The First Amendment and the paragraph of the Georgia Bill of Rights pertaining to free expression can be found in Handout 1.

Freedom of expression includes oral, written, and symbolic speech. An example of symbolic speech is the wearing of armbands to protest a war. The right to freedom of expression is broad in our society, but it is not unlimited. Speech not protected by the First Amendment includes:

--speech that presents a clear and present danger to others. The classic example of prohibited speech is shouting "Fire" (when there is none) in a crowded theater.
--speech that substantially disrupts or interferes with a governmental activity
--defamation, i.e., slander or libel. This is speech that is not true and injures others. (However public figures have less protection than private individuals.)
--fighting words, i.e., words that can incite a breach of the peace.
--obscenity and pornography.
--speech inherent in crimes such as perjury and fraud.

The above limitations apply to both adults and children at all times and places. While attending school, students may have additional limitations placed on their freedom of expression rights. (For example, the content of a student newspaper may be censored by an appropriate school authority, and students may be prohibited from disrupting the educational process with verbal outbursts or symbolic behaviors.)

In general, courts have upheld suits based on sexual, religious, or racial harassment in the workplace. Verbal harassment in the school, regardless of its basis, opens the way for law suits that allege "emotional distress" caused by another's speech or actions.

MATERIALS AND RESOURCES:

Handouts

1. Constitutional Rights to Free Speech
2. The Rights of the Child (United Nations)
3. Code of Ethics (National Education Association)

Poster board; flip chart paper; transparency; markers; pens

PROCEDURE:

Period One

1. Begin the lesson by reading the following scenario:

> Katrina lived in a small house with her mother, two brothers, and two sisters. Because her mother supported the whole family by working in a restaurant, they had to be very careful with money. Katrina did not have many nice or stylish clothes. However, for her birthday, Katrina's mother bought her a bottle of bright red nail polish that Katrina had admired. Katrina and her oldest sister stayed up late that night "doing" their nails.
>
> Mr. Wood, Katrina's fifth grade teacher, was very strict and felt that fifth graders should not wear make-up or earrings. Katrina had never been in serious trouble or sent to the principal's office. As Katrina was walking into class to put her books on her desk, Mr. Wood noticed Katrina's bright red fingernails.
>
> After the bell rang and the class was seated, Mr. Wood yelled, "Katrina! Come up to the front of the room!" He ordered her to stand in front of the class and told her to hold her hands out straight in front of her. Then he said, "Katrina, if you were meant to have red fingernails, you would have been born with them! This is disgraceful! Do not ever come into this classroom with your nails painted again!" Katrina hung her head and put her hands in her pockets as she walked sullenly back to her seat.

2. Lead a discussion of the scenario. Ask:

   a. How did Katrina feel after the teacher yelled at her? How would you have felt?
   b. Did Katrina have a right to paint her nails?
   c. Did the teacher have a right to criticize Katrina?
   d. How else could Mr. Wood have handled this situation?
   e. Did you ever feel like Katrina felt? (Try to elicit from students some of the vocabulary words presented in the Teacher Background.)

3. Ask the students to think about the above scenario and discussion and tell you words that describe how a person feels when he or she has been hurt by someone else. List the

words on the chalkboard, being sure students can define or understand them. (Encourage use of the words in the Teacher Background.)

Discuss: Should speech be limited? Should we be able to say whatever we wish? (Stress that the right to free speech has to be weighed against the possible harm it can bring to others; free speech is not limitless.)

Period Two

1. Distribute Handout l, Constitutional Rights to Free Speech. Discuss what these rights mean, clarifying a) that these rights are not absolute, which means that the courts have allowed the government to put certain limits on freedom of expression, and b) that these rights do not mean you can say whatever you want to say.

   Ask students to guess what restrictions the courts allow on free speech. Record their ideas on the chalkboard. Discuss and correct their responses, using the Teacher Background.

   Point out that rights also carry responsibilities. Brainstorm with students the responsibilities the right to free speech carries. Record and discuss these responses. (For example, the responsibility to not endanger others, the responsibility to have your facts straight, and the responsibility not to restrict unfairly the free speech of others.)

2. Introduce the documents on Handouts 2 and 3, helping the students with any unfamiliar words and ideas. Help the class identify the rights and responsibilities presented in these handouts.

3. Clarify that while the Bills of Rights and the allowable restrictions are laws, the documents on Handouts 2 and 3 are not. Ask: What is the difference? What are laws? (a body of rules governing the affairs of people within a society; law consists of all rights, duties, and obligations that can be enforced by a society's government.) Be sure students understand why the "Rights of the Child" and "Code of Ethics" are not laws.

Period Three

1. Divide the class into six small groups. Tell the groups that they are going to create documents reflecting the specific free speech rights and responsibilities of members of the class toward each other, of members of the class toward the teacher, and of the teacher toward each member of the class. (Although the groups should work independently, each topic will be covered by two groups.) The documents, discussed at length during Period Two, can serve as models.

2. Have the matching groups meet to combine their results. Ask them to copy their document on the blackboard, a piece of newsprint, or on a transparency.

3. Present the three lists of free speech rights and responsibilities one at a time, allowing for comments, corrections, and discussion. After a consensus is reached on a declaration of rights of expression in the classroom, a final combined document should be posted in the room and copied by everyone.

EVALUATION:

- Use the classroom declarations produced by the students during Period Three.
- Ask each student to write a paragraph about the following statement: "My rights to free speech end where others' rights begin."

ENRICHMENT:

- Have students list antonyms for words identified in Period One.
- Research famous individuals who were victims of harassment.

CONSTITUTIONAL RIGHTS TO FREE SPEECH

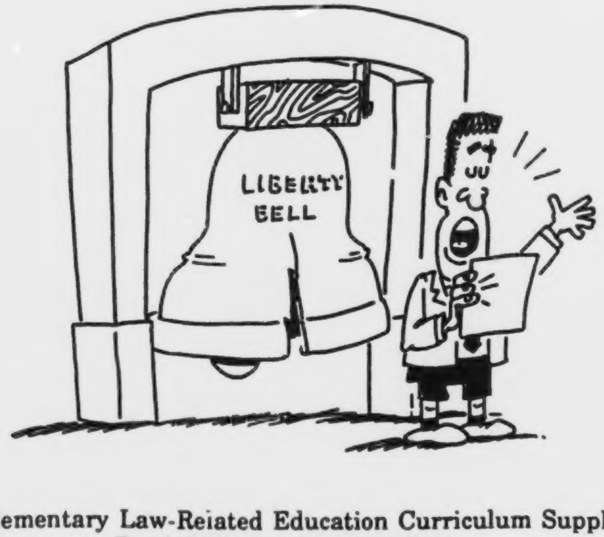
THE FIRST AMENDMENT TO U.S. CONSTITUTION

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

GEORGIA BILL OF RIGHTS.

Georgia Constitution Article 1, Section 1, Paragraph 5:

No law shall be passed to curtail or restrain the freedom of speech or the freedom of press. Every person may speak, write, and publish sentiments on all subjects but shall be responsible for the abuse of that liberty.



THE RIGHTS OF THE CHILD*

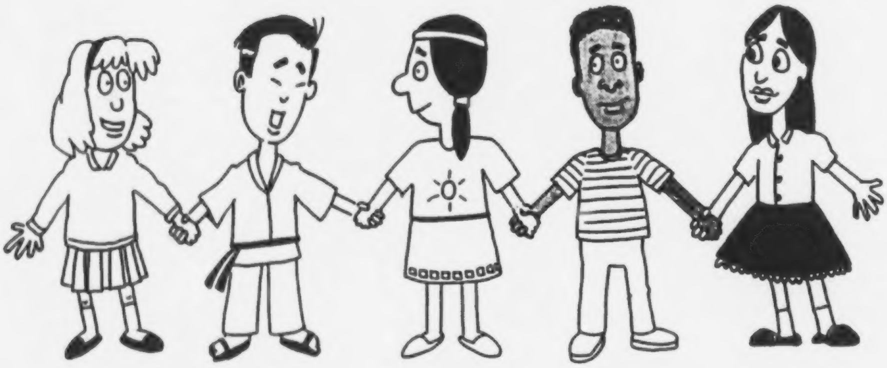
Although the specific rights of the child are not spelled out in the Constitution of the United States or the laws of Georgia, the United Nations General Assembly on November 20, 1959, adopted a document called, "The Rights of the Child."

a. The document affirms the dignity and worth of the human person without distinction of any kind, such as race, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status.

b. The document affirms that the child, by reason of his physical and mental immaturity, needs special safeguards and care including appropriate legal protection

c. The document affirms that the child should be raised in conditions of freedom and dignity; be protected against all forms of neglect, cruelty, and exploitation; be protected from practices which may foster any forms of discrimination; be brought up in the spirit of understanding, love, tolerance; and be given an education which promotes the development of his/her moral and social responsibilities.

***excerpted from the United Nations Declaration of the Rights of the Child.**



CODE OF ETHICS*

The Code of Ethics of the Education Profession indicates the aspirations of all educators and provides standards by which to judge their conduct. It was adopted by the National Education Association Representative Assembly, July 1975.

The following are selected, relevant points made in Principle 1: Commitment to the Student:

a. The educator strives to help each student achieve his/her potential as a worthy and effective member of society.

b. The educator shall not intentionally expose the student to disparagement or embarrassment (debasement).

c. The educator shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation unfairly:

1. exclude any student from participation in any program;
2. deny benefits to any student; or
3. grant any advantage to any student.

***excerpted from the National Education Association Code of Ethics for the Education Profession**

CORPORAL PUNISHMENT

GRADE LEVEL: 4-5 **AUTHOR:** Sharon Fletcher and Kathleen Judge

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Corporal punishment; discipline; misbehavior

MAIN IDEAS:

a. The U.S. Supreme Court has upheld reasonable corporal punishment for school discipline.
b. Georgia law authorizes school boards to adopt policies and regulations relating to the use of corporal punishment and sets conditions for its use.
c. The use of corporal punishment in the schools is controversial.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government of our state
4-19. Examines the role of a responsible citizen in the community and state

Skills

5-20. Listens to and respects the views of others
5-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Discussing laws on corporal punishment
Polling/tallying attitudes about the use of corporal punishment in the schools
Debating arguments for and against corporal punishment
Examining constitutional issues addressed by Supreme Court
Writing a position paper on corporal punishment

OBJECTIVES:

The learner will:
--define corporal punishment and explain when and how it can be legally administered in the schools.
--explain the standing U.S. Supreme Court decision on corporal punishment in the schools.
--identify student rights regarding corporal punishment.
--state arguments for and against the use of corporal punishment in the schools.

TEACHER BACKGROUND:

Georgia has state laws which regulate the administration of corporal punishment.

Corporal punishment can be defined as punishment inflicted directly on the body, as flogging, and specifically on the buttocks.

According to O.C.G.A. 20-2-730, all area county and independent boards of education are authorized to determine and adopt policies and regulations relating to the use of corporal punishment on any pupil placed under their supervision in order to maintain proper control and discipline. The following requirements must be met:

a. the punishment shall not be excessive or unduly severe;
b. the punishment shall not ever be used as a first line of punishment unless the pupil was informed beforehand that specific misbehavior could occasion its use; however, it may be employed as a first line of punishment for those acts which are so antisocial or disruptive as to shock the conscience;
c. the punishment must be administered in the presence of a principal or assistant principal, or their designee, employed by the board of education authorizing such punishment, and the other principal or assistant principal must be informed beforehand and in the presence of the pupil of the reason for the punishment;
d. the principal or teacher who administered corporal punishment must provide the child's parent, upon request, a written explanation of the reasons for the punishment and the name of the person who was present; provided, however, that such an explanation shall not be used as evidence in any subsequent civil action brought as a result of the punishment; and
e. the punishment shall not be administered to a child whose parent or legal guardian has, upon the day of enrollment of the pupil, filed with the principal or the school a statement from a medical doctor licensed in Georgia stating that it is detrimental to the child's mental or emotional stability.

No principal or teacher who administers corporal punishment following Georgia state guidelines shall be held accountable or liable in any criminal or civil action based upon the administering of corporal punishment where the punishment is administered in good faith and is not excessive or unduly severe. O.C.G.A. 20-2-732

Classroom aides and paraprofessionals shall have, while performing assigned duties, the authority of "in loco parentis," except for the administration of corporal punishment. O.C.G.A. 20-2-215

A landmark U.S. Supreme Court case, Ingraham v. Wright 430 U.S. 651 (1978), addressed two constitutional questions regarding corporal punishment that are presented in Handouts 2 and 3.

MATERIALS AND RESOURCES:

Handouts

1. Georgia Laws on Corporal Punishment
2. Ingraham v. Wright, the U.S. Supreme Court Looks at Corporal Punishment
3. Decision in Ingraham v. Wright

Poster board or flip chart; Markers; colored pencils; stencils

PROCEDURE:

Period One

1. Distribute Handout 1, Georgia Laws on Corporal Punishment. Explain that the handout provides a simplified version of the content of Georgia law on corporal punishment. Discuss the information (see also the Teacher Background) to ensure that students understand it. Clarify any unfamiliar terms. Use the following questions to focus on key.issues:

   a. Is corporal punishment allowed in this school?
   b. In school systems that allow corporal punishment, when is it used?
   c. Why do school administrators and teachers spank children?
   d. Are there other punishments that are as bad as corporal punishment? (For example, running laps or doing push ups in P.E.; or sitting alone in an empty room all day, writing a statement 500 times.)
   e. Is corporal punishment ever justified?
   f. Do you think corporal punishment keeps students from misbehaving?
   g. Are other punishments as effective? [illegible] give examples.

2. After this discussion, write the following three statements on the chalkboard, and ask the students to vote in favor of one of the following three statements.

   a. Corporal punishment is a good idea.
   b. Corporal punishment is sometimes a good idea.
   c. Corporal punishment is never a good idea.

   Tally the results on the board. Point out that, according to a national poll given to an adult sample, 2/3 of the adult population thought that corporal punishment was a good idea. If your class results differ, discuss why that may be the case.

Period Two

1. The class should be divided into two groups. Group 1 (pro) will identify reasons supporting the use of corporal punishment; Group 2 (con) will determine why corporal punishment should not be allowed. Each group should, on poster board or flip chart paper or a section of the blackboard, list the reasons supporting its argument. Ten to fifteen minutes should be allowed for this activity.

   Points the students may wish to address include: effectiveness; nature of the incident resulting in this punishment; what constitutes excessive punishment; instruments that can be used; type of harm that can ensue; psychological and physical damage; alternative methods of punishment.

2. The spokesperson for each group presents and reviews the group's consensus regarding their position.

3. After hearing the arguments presented by each group, try to get the class to reach an agreement, as a class, on whether corporal punishment should be allowed, should not be allowed, or should be allowed under specific circumstances. In the last instance, have students specify the circumstances.

4. Distribute Handout 2, Ingraham v. Wright. Students may be interested in knowing that the U.S. Supreme Court grappled with the same question that they have, but that the justices looked at the question in terms of whether or not corporal punishment for students was a violation of their constitutional rights.

   The lawyers for Ingraham raised the two questions of possible rights violations that are posed on the handout. Have students read the handout and write their responses to the questions.

5. Students should be able to deduce how the court decided. (Against Ingraham.) Distribute copies of the decision (Handout 3) or tell students about it. Discuss the decision. Ask if they agree or disagree with the majority decision. Allow them to give their reasons (as written on their handouts) on both questions. Compare their reasons with those of the justices.

EVALUATION:

- The students will each take the role of a principal having to make a decision on the use of corporal punishment in the school. In this role, each student should write a one to two page position paper which:

  a. Briefly outlines the conditions of current law.
  b. Presents two to three arguments for and against the use of corporal punishment in the school.
  c. Concludes with the principal's decision and the main reason supporting it.

ENRICHMENT:

- Take a poll of parents and neighbors, asking the questions used in procedure 2 from period one and asking the adults to justify their answers.

- Take a poll of schoolmates and school personnel, asking the questions used in procedure 2 from period one.

- Research how students were punished in schools 100 years ago or how students in other countries are punished in their schools.

- Research how many counties in Georgia and/or how many states in the United States allow corporal punishment, prohibit it, or provide for a local or school option.

- Discuss local policy on corporal punishment.

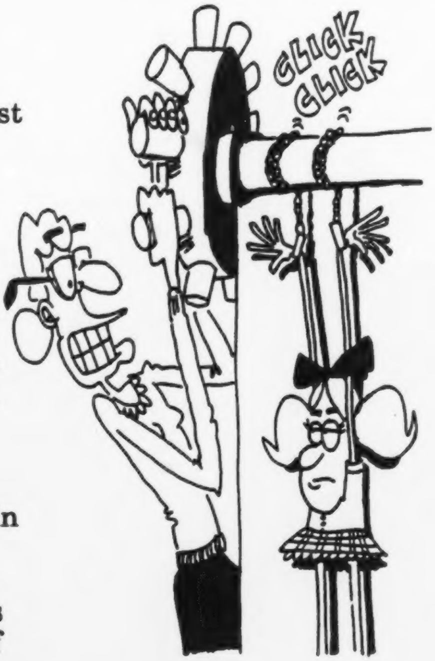
Handout 1

Georgia Laws On Corporal Punishment

Corporal punishment means punishment inflicted directly on the body, as flogging, and specifically on the buttocks. In schools, it is usually referred to as paddling.

Local boards of education can make policies and regulations on use of corporal punishment in their schools. They can prohibit its use. They can allow principals to make the decision for individual schools. They can allow corporal punishment to maintain proper control and discipline.

However, in using corporal punishment, the following requirements must be met:



1. The punishment shall not be excessive or unduly severe;
2. The punishment shall not ever be used the first time the student commits a particular misbehavior with two exceptions. It may be used if the student was told, "If you do this thing, you are going to get paddled." It may also be used for those acts which are so anti-social and disruptive as to shock the conscience.
3. The punishment must be administered in the presence of a principal or assistant principal, or a person (employed by the board of education) selected by one of them. The principal or other person must be informed beforehand of the reason for the punishment in the presence of the student.
4. The principal or teacher who administers the corporal punishment must provide the child's parent, upon request, a written explanation of the reasons for the punishment and the name of the person who was present.
5. Parents can provide a statement from a medical doctor stating the corporal punishment would be harmful to the child's mental or emotional stability when the child is enrolled in school. If this is done, the child cannot be paddled.
6. Principals and teachers can't be sued (or criminally charged) for paddling a child provided they give the punishment in "good faith" and it is not excessive or unduly severe.
7. Corporal punishment can only be administered by teachers or principals (or designees of boards). Classroom aides cannot administer paddlings.

INGRAHAM V. WRIGHT

The U.S. Supreme Court Looks at Corporal Punishment

A landmark U.S. Supreme Court case, Ingraham v. Wright 430 U.S. 651 (1978), addressed two constitutional questions regarding corporal punishment.

Facts of Case: James Ingraham and Roosevelt Andrews were students at Drew High School in Dade County, Florida. The state's law on corporal punishment set conditions, e.g., size of paddle, paddling must be done on buttocks, it cannot be "degrading or unusually severe," a principal or person in charge must be consulted first, normal punishment is 1-5 licks.

Ingraham was paddled 20 licks for being slow to leave the stage of an auditorium. He required medical attention because of severe bruising and missed 11 days of school. Andrews was paddled several times for being late, making noise, etc. Some of the paddling was on his arms and he lost the use of one arm for one week. There was no question that the students were severely beaten.

The parents of the children sued the school administrators, asking for damages for injuries. They also asked that corporal punishment be prohibited in the schools.

The Eighth Amendment to the U.S. Constitution prohibits "cruel and unusual punishments." Is corporal punishment a cruel and unusual punishment under the Eighth Amendment? Does it matter that it is prohibited against adult prisoners?

The Fifth Amendment to the U.S. Constitution guarantees that no one shall "be deprived of life, liberty, or property, without due process of law." Due process requires notice of charges and a hearing of some kind. Are due process rights involved in corporal punishment? Should students then have the right to due process (notice of charges against them and an informal hearing at which they could present their side of the story) before administering of corporal punishment?

How would you answer these questions? (Use a separate sheet or the back of the paper and give at least one reason for each of your answers.)

1. Is corporal punishment in schools a "cruel and unusual" punishment?
2. Before being paddled, should students be informed about charges against them or be given a reason for the punishment?
3. Should students be entitled to an informal hearing in which they can present their side of the case?

Decision in Ingraham and Wright

Opinion of the Majority of Justices: In a 5-4 decision, the Supreme Court held that corporal punishment was not cruel and unusual punishment under the Eighth Amendment.

The majority said, essentially, that corporal punishment (paddling) is a traditional method of disciplining children, used since colonial days. It is legal in all of the states. There has always been disagreement about its application, but there is enough evidence to show that it serves a legitimate educational interest as a means of maintaining proper control and discipline.

As to whether children should be less protected than criminals regarding corporal punishment, the majority of justices agree that the school is an open institution, as opposed to a jail or prison. They felt that the openness provides sufficient protection. Further, parents can use criminal and civil liability penalties if punishments go beyond what is "necessary" and "reasonable."

Regarding due process, the majority agree that "liberty" was affected by corporal punishment, but they did not feel specific due process requirements were needed. They said notice was not required because children are usually paddled for actions done in a teacher's presence. Further, they argued that the cost of a notice and hearing for corporal punishment would be too much to justify.

Opinion of the Minority of Justices; Dissenting Opinion:

The four justices who disagreed with the majority made the following arguments:

Since it is constitutionally not permissible to beat severely a hardened criminal, it should not be constitutionally permissible to beat a child for lesser misbehaviors.

Children should have the protection of the Eighth Amendment. Granting them the right to sue in a civil court or bring criminal charges after a punishment is given is not very good protection. These justices were also bothered by the fact the majority decision did not allow for any remedy in case the punishment was given in error. They felt simple hearings could prevent errors.

Regarding costs, the justices felt that the costs of a hearing that would simply allow a child to give his side of the case would not impose such a great cost burden. It would seem, they said, no less than what a fair-minded principal would do.

BEWARE OF DRUGS

GRADE LEVEL: 4-5 **AUTHOR:** Carol Strickland Hall

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Drug abuse; alcohol; marijuana; cocaine; illegal; trafficking; possession; controlled substances; addiction; poison; criminal; misdemeanor; felony

MAIN IDEAS:

a. Alcohol is a controlled substance and it is illegal for persons under the age of 21 to consume it.
b. Marijuana and cocaine are examples of illegal drugs, and it is against the law for anyone to use or distribute such drugs.
c. The use of alcohol, marijuana, and cocaine is harmful to your health and may even cause death.
b. The state of Georgia has laws that control the distribution and use of alcohol and illegal drugs such as marijuana and cocaine.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government of our state
4-19. Examines the role of a responsible citizen in the community and state

Skills

4-8. Collects information through reading, listening, observing and surveying
5-11. Identifies and defines a problem related to regions and cultures
5-20. Participates in planning for effective action in civic affairs

INSTRUCTIONAL STRATEGIES:

Matching parts of sentences on effects of drugs and alcohol
Identifying examples of illegal drugs
Brainstorming ways to say no to drugs and alcohol
Examining and discussing legal consequences of drug use
Role playing drug resistance scenes
Making anti-substance abuse posters

OBJECTIVES:

The learner will:
--tell why alcohol, marijuana, and cocaine are dangerous.
--identify consequences of Georgia's laws on alcohol and illegal drugs such as marijuana and cocaine.
--demonstrate ways of turning down drugs or alcohol.

TEACHER BACKGROUND:

The Georgia Controlled Substance Act (O.C.G.A. 16-13-30) classifies drugs (except marijuana in its unrefined state) into five classes or schedules.

Schedule I and II drugs are considered the most dangerous. Heroin, LSD, opium, cocaine, and quaaludes are among the drugs listed in Schedule I and II. Adults convicted of possession of these drugs may receive a jail sentence of from 2 to 15 years. A second conviction can result in from 5 to 30 years. A first conviction of possession with intent to sell or selling (or manufacturing, delivering, distributing, etc.) can result in a jail sentence of from 5 to 30 years. A second conviction of possession with intent to sell results in a life sentence. Conviction of possession of 28 or more grams of cocaine, or selling any amount of cocaine, also carries a mandatory fine of $200,000 to $1,000,000.

Schedule III,IV,V drugs are considered less dangerous and include valium, phenobarbital, and various other "uppers and downers." Adults convicted of possession of these drugs may receive a jail sentence of from 1 to 5 years. Conviction of possession with intent to sell may result in a jail sentence of from 1 to 10 years.

Conviction of possession of marijuana in the amount of 1 ounce or less is a misdemeanor. Conviction of possession of from 1 ounce to 50 pounds carries a sentence of 1 to 10 years. Conviction of possession of or selling over 50 pounds may result in a jail sentence of from 5 to 15 years and a fine of from $100,000 to $1,000,000. Both the fine and the jail sentence are mandatory.

Adults convicted of selling drugs within 1,000 feet of any property used for private or public education receive an additional penalty of from 1 to 20 years in jail and a fine of not more than 20,000 dollars, in addition to any other crimes charged.

Georgia law also stipulates that convictions on drug abuse charges can result in penalties for public employees, such as losing jobs and other benefits.

Drug law violation penalties for juveniles would almost certainly include a drug or alcohol abuse program; in severe instances, a resident program. Depending on record and gravity of offense, penalties could otherwise range from probation (with conditions including no drug or alcohol use) to commitment to Division of Youth Services.

Alcohol is a controlled substance in Georgia and throughout the United States. In Georgia, persons 21 years old and above may legally possess and use alcohol, provided they do not violate various local ordinances. There is a considerable body of law related to the control and possession of alcohol. For example, it is illegal for a person to furnish or cause alcoholic beverages to be furnished to any person under 21 years old. To do so is a misdemeanor. A person under 21 years old found to have purchased or knowingly possess alcoholic beverages (or to have falsely represented his age to obtain any alcoholic beverages) can be put on probation by the court and required to attend a comprehensive rehabilitation program. Adult penalties for DUI are provided on Handout 2.

MATERIALS AND RESOURCES:

Handouts

1. Drug Information Match
2. Adult Penalties for Illegal Drug and Alcohol Use
3. Beware of Drugs and Alcohol (chart)

Transparency Master

1. Drugs and Alcohol

Magazine pictures of drugs or alcohol.

PROCEDURES:

Period One

1. Ask the students if they have seen the television commercial in which a man cracks an egg into a hot frying pan and explains that this is what drugs will do to your brain. Discuss what you would see and hear when an egg fries in the smoking-hot grease. Point out that the human brain is much more delicate than an egg, and that medical evidence has clearly shown that drugs such as alcohol, marijuana, and cocaine do damage people's brain cells.

   Tell the students to think about the egg frying in the pan again, and ask: Is that something you would like to see happen to your brain? (Obvious answer - NO!)

   Stress that while damaging any part of your body is bad, damaging the part of your body that thinks is especially terrible. (Briefly discuss why this is so.) Tell the students that if they want their brains to continue to perform at their very best, then they must say "no" to using drugs and alcohol.

2. Explain that students are going to discover some of the reasons that drugs and alcohol are dangerous. To present this information, distribute Handout l. Define, or have students look up, any words that they don't understand. Then, have students try to match the beginnings and endings of the sentences under each category. Correct matches are given below:

   Alcohol: 1-b, 2-d, 3-a, 4-c, 5-e
   Marijuana: 1-b, 2-e, 3-c, 4-a, 5-d
   Cocaine: 1-e, 2-a, 3-d, 4-b, 5-c
   General: 1-c, 2-a, 3-b

   Review student matches. Discuss each "matched" sentence to be sure students understand it.

   NOTE: The sentence pairs could also be written on cards, which could be put in a large bowl. Students could draw cards and try to match the sentences. The cards could also be put in a learning center with directions for a matching card game.

3. Ask students what drugs look like. Show some examples of drugs. Pictures may be found in magazines or, alternatively, show Transparency Master l. Tell students when someone offers them any of these drugs, they should say no. Ask students to come up with some reasons for saying "no" and list these on board. Let class members, in turn, practice saying no and using reasons.

Period Two

1. Stress that using illegal drugs and drinking alcohol is not only personally dangerous but against the law. Distribute Handout 2, Adult Penalties for Illegal Drug and Alcohol Abuse. Explain that this chart shows what some of the penalties are for using drugs in Georgia. Ask students questions about the handout, such as what are the penalties for using cocaine, valium, marijuana, etc.

   Point out that these penalties are quite severe. Have students consider what it would be like to be in jail for such a long time. Ask them to think of things they enjoy. Discuss how they would miss families, holidays, favorite foods, things to do, etc., if in jail. Discuss the fines, trying to make amounts relevant to students through comparing with cost of house, expensive car, etc. Discuss why the state gives such severe penalties.

   Discuss the penalties for driving under the influence of alcohol (Handout 2). Explain that often judges will let people work off jail time in community service hours. Explain that there are other costs involved, such as increase in insurance rates, attending a drug and alcohol abuse program. Penalties become much more severe if the person injures or kills someone.

   Point out that the penalties on the chart are for adults NOT FOR CHILDREN. Use Teacher Background to discuss penalties for children (under 18) who are caught using or selling drugs. Inform the students that YOUTHS found to be DUI will face similar penalties, and will have their licenses suspended. Review penalties for underage use of alcoholic beverages.

2. Review the damage that people can do to their bodies through using drugs or alcohol (sentence matching exercise). Then ask students to think of other harm that comes from using drugs. List some of these--harm to families, loss of families, harm to others (e.g., DUI accidents), loss of job, loss of interest in anything but drugs, stealing to get money for drugs, etc.

3. Distribute Handout 3, "Beware of Drugs and Alcohol" chart. Have students fill in the boxes. This could also be done as a group activity. Review and discuss student responses.

Period Three

1. Divide the class into three groups and let each create a role play in which two or three members want the others to use a) cocaine, b) marijuana, or c) alcohol. The other group members would take roles of those who don't want to use the drug. Have groups set the role plays inside or near the school. Each group should select a director, outline a script, select parts, and practice quietly.

   Present the role plays to class. After each presentation, discuss, asking such questions as: How persuasive were the sellers? How strong were the refusals? Did students give good reasons for saying no? What might they have said?

   Record the good reasons for saying no to drugs or alcohol on the board.

EVALUATION:

- Ask the student to write a one page summary of the information they learned in this lesson. Have them include information on Georgia's drug laws, the harmful effects of drugs, and the various ways to say no to people who offer you drugs.

ENRICHMENT:

- Ask each student to make a poster or write a short story or poem that would help others to refuse drugs or alcohol. Have the students share their efforts with the class.

- In groups, have students list ways to make their schools drug-free. Have them share their lists with whole group.

- Invite a police officer to your class to make a presentation on drugs. Ask the officer to bring in realistic looking samples of marijuana, cocaine, crack, and other drugs so that the students can see them first hand. Request information about the numbers and kinds of juvenile drug offense arrests and what happens to students caught breaking these laws.

- Create bumper stickers with slogans to help eliminate drug and alcohol abuse.

- Have students pretend that they are the principal of the school or the mayor of a city and plan a program to help eliminate drugs.

DRUG INFORMATION MATCH

Choose the best sentence ending in column 2 to fit each sentence beginning in column l. Put its letter in blank provided.

ALCOHOL

Column 1	Column 2
1. Alcohol is a part of drinks ____	A. it harms people's balance and reaction time.
2. Alcohol damages ____	B. such as wine, wine coolers, beer, whiskey, rum, gin, and vodka.
3. Because alcohol damages and slows down the brain, ____	C. used drug by young people today.
4. Alcohol is the most widely ____	D. the brain, liver, kidneys, and pancreas.
5. The use of alcohol by anyone under 21 ____	E. is illegal in the state of Georgia.

MARIJUANA

Column 1	Column 2
1. Marijuana (often called joints, grass, or weed) ____	A. most widely used drug by young people.
2. Marijuana can cause ____	B. is an illegal drug that people smoke.
3. Because marijuana affects the brain, ____	C. it can cause mild hallucinations, panic, and anxiety reactions.
4. Marijuana is the second ____	D. to use or distribute marijuana in the state of Georgia.
5. It is illegal for anyone ____	E. lung damage, a weakened immune system, and impaired memory.

Handout 1 ctd.

DRUG INFORMATION MATCH

Choose the best sentence ending in column 2 to fit each sentence beginning in column l. Put its letter in blank provided.

COCAINE:

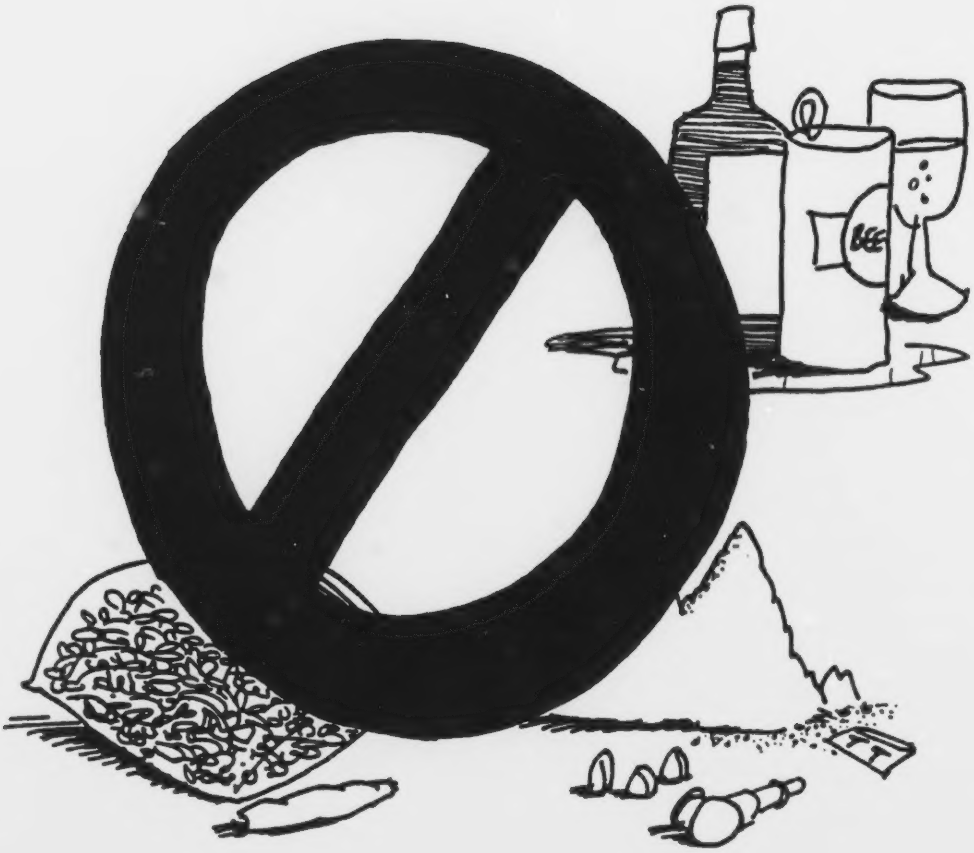
Column 1	Column 2
1. Cocaine is a white powder ____	A. that are smoked in pipes or other devises.
2. Crack cocaine is hardened into small "rocks" ____	B. cause irritability, insomnia, anxiety, and heart attacks.
3. Cocaine stimulates the body, ___	C. cocaine or crack in the state of Georgia.
4. Cocaine is highly addictive and higher doses ____	D. causing increased breathing rate, heart rate, and blood pressure.
5. It is illegal for anyone to use or distribute ____	E. that is snorted or snuffed up the nose.

DON'T DO DRUGS

Column 1	Column 2
1. Because alcohol, marijuana, and cocaine are addictive drugs, ___	A. it will get you in trouble and make you a fool.
2. Drug use isn't cool____	B. it can cause people to lose their jobs, savings, friends, and family.
3. Because drug use is addictive and harms peoples minds and bodies____	C. they can take over your life.

Transparency Master

DRUGS AND ALCOHOL



ADULT PENALTIES FOR ILLEGAL DRUG AND ALCOHOL USE

Drugs such as cocaine and heroin:

Possessing the drugs:
1st time: 2-15 years in prison
2nd time: 5-15 years in prison

Selling or planning to sell the drugs:
1st time: 5-30 years in prison
2nd time: life in prison

If you have more than 28 grams or sell any amount, there is a fine of $200,000 to $1,000,000.

Drugs such as valium or uppers and downers:

Possessing the drugs: 1-5 years in prison
Selling or intending to sell drugs: 1-10 years in prison.

Marijuana:

Possessing 1 oz. or less: Up to 1 year in prison.
Possessing 1 oz. to 50 pounds: 1 to 10 years
Possessing or selling over 50 pounds: 5-15 years (plus a fine of $100,000 to $1,000,000)

Selling drugs within 1,000 feet of any property used for private or public education. Penalty: 1-20 years and/or fine of not more than $20,000.

Alcohol:

Driving Under the Influence:
1st time: jail for 10 days to a year plus fine of $300-$1,000, loss of license for up to a year
2nd time: jail for 90 days to a year plus fine of $600 to $1,000, loss of license for up to 3 years,
3rd time: prison for 1-5 years, plus fine, loss of license for 1-5 years.

Use if under 21:
Minimally, a court probation with requirement for rehabilitation program.
Violation of probation could result in misdemeanor.

BEWARE OF DRUGS AND ALCOHOL

	Tell how this can harm you	Give the penalty	Tell how this can harm others
BEWARE OF MARIJUANA			
BEWARE OF COCAINE			
BEWARE OF ALCOHOL			

ROBBY RACCOON STRIKES AGAIN!

GRADE LEVEL: 4-5 **AUTHOR:** Carol Strickland Hall

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Burglary; robbery; theft by taking; felony; misdemeanor; dwelling

MAIN IDEAS:

a. Stealing is against the law. One type of stealing is called burglary.
b. Burglary, and other kinds of theft crimes, are punished by the government.
c. It is hurtful to be a victim of burglary, and there are ways to try to protect against this crime.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government in our state
4-19. Examines the role of a responsible citizen in the community and state

Skills

4-2. Collects information through reading, listening, observing, and surveying.
5-16. Works within a group, following set rules of procedure, to complete an assigned task.
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society.
5-18. Works with others using democratic principles.

INSTRUCTIONAL STRATEGIES:

Playing game to introduce the term burglary
Identifying examples of burglary on worksheet
Reporting on feelings of victims of burglary
Proposing and identifying consequences of burglary
Brainstorming ways to prevent burglary

OBJECTIVES:

The student will:
--define burglary, theft by taking, and robbery.
--identify examples of the crime of burglary.
--explain the consequences of burglary to victims and perpetrators.
--describe ways to prevent burglary.

TEACHER BACKGROUND:

Burglary is a serious crime. A juvenile who is taken into custody for burglary could be handcuffed, taken to the police station, put into a cell for juveniles, and/or fingerprinted. If a juvenile is found to have committed burglary (or other theft crimes) by the juvenile court, the child is likely to be put on probation for a first offense. A juvenile repeat offender could be put under the custody of the Division of Youth Services (DYS). DYS also has a number of options. The most severe is treatment in a Youth Development Center. A child 15 or 16 on a second offense of burglary could be transferred to the adult court. For a young child, the courts might let the parents determine a punishment.

Please review Handout 1 for a summary of the adult penalties for the crimes of burglary, theft by taking, and robbery.

MATERIALS AND RESOURCES:

Handouts

1. Burglary, Theft by Taking, and Robbery
2. Are These Burglaries?
3. Robby Raccoon Strikes Again!

Dictionaries

PROCEDURES:

Period One

1. Explain that you are thinking of a word with eight letters (put a dash for each letter on the board) and that each student will get a chance to guess the letters that are in that word. If the letter he or she guesses is in the word, then you will insert it in the correct blank space, and the student will have five seconds to guess what the word is. If the student guesses correctly, he or she wins. If the student does not, then he or she may choose another student who has not been called on to guess.

   Give students this clue for the word burglary: a crime that can happen when no one is home. Give a small reward to winner (e.g., a homework pass, some extra reading time).

2. Ask students for a definition of burglary. Record their definition(s) on chalkboard.

   Explain that the law makes a number of acts of stealing crimes, and that the penalties for these vary. Burglary is one of these crimes, but the class will look at two others--theft by taking and robbery--as well. Distribute Handout 1. Ask students to read it silently and list any words that they do not understand or have trouble pronouncing. List these words on chalkboard and use dictionaries or glossary for definitions.

   After reading the handout, ask students if they want to revise their definition of burglary. Allow them to do so.

3. Discuss the handout information. Clarify that there are three things that must happen for a crime to be a burglary. These are: 1) lack of authorization to enter (person does not have permission to be within premises); 2) intent to commit a felony or theft (person

intends, before or after entry, to commit a crime); and 3) actual entry or remaining within structure (to commit the burglary, the person had to enter--or remain within--a house or other structure cited in law). Have students underline these requirements on the handout.

Now ask students to look at the definition of theft by taking. Ask: What three things must occur for an act to be theft by taking? There must be 1) lack of permission or authority to take the property, 2) intent to deprive the victim of the property, and 3) the property must be taken away or hidden.

Discuss the differences between the two crimes. Students should note that burglary requires an unauthorized entry into (or remaining on) premises. Theft by taking does not; it can occur in a place where the thief has authority to be. It does, however, require taking the property away or hiding it.

Now contrast burglary and theft by taking with robbery. What are the conditions of robbery? How does it differ from the other crimes? Students should note that in robbery the property is taken from the person with force or threat of force.

4. Distribute Handout 2, Are These Burglaries? Ask students to label each example burglary, theft by taking, robbery, or no crime. Correct the papers together. Answers are: 1) theft by taking (child had been invited on the premises); 2) no crime (there was no intent to steal, but towel should be returned); 3) burglary; 4) no crime, (if permission to snack had either not been extended or had been denied, this would be considered theft by taking); 5) burglary (if he had taken the items in his class during the school day when he had authorization to be in the classroom, the crime would be different); 6) no crime; 7) robbery; 8) burglary; 9) burglary; 10) burglary.

   For each item on Handout 2 that was a crime, ask students to write an answer to the following questions.

   a. Who was the victim in this crime?
   b. In what ways, besides the loss of property, was the victim harmed? (Students need to think how they would have felt if they had been the victims. (Possible answers include emotional upset, fear of being burglarized again, destruction of plans, and economic hardship.)

Period Two

1. Write the word burglary on the board and ask the students to recall the definition developed in period one. (Let the students use Handout 1 to check the definition if they need assistance.)

2. Discuss the consequences of burglary. Ask: What are the consequences for adults? Have students find the information in Handout 1 and write the answers on the board. Compare the penalties for burglary to those for robbery and theft by taking.

   Ask students what they think the consequences should be for children who commit burglaries. (You can use the incidents in Handout 2 as examples.)

   Use the Teacher Background information to explain what, in real life, the consequences are likely to be. Remind students that criminals face consequences other than legal ones, e.g., punishment from parents, guilt, avoidance by others, etc.

Finally, remind students that laws are made to protect people and people who break the laws are usually punished.

3. What are the consequences of burglary to the victim? Ask students in turn to explain how they thought the victims were harmed in the crimes described on Handout 2. Discuss their suggestions.

4. Point out that the law protects us by making burglary a crime, but that we can also do things to prevent burglars from getting into our homes. Brainstorm a list with students that might include alarms and alarm systems, locking doors and windows with secure locks, using lights at night, watch dogs, neighborhood crime watch societies, precautions when away, such as timers, pick up of mail and newspapers, etc., insuring valuables or putting small valuables in bank. When the list is complete, discuss which actions might be most effective.

EVALUATION:

- Distribute Handout 3 and ask the students fill in the information.

ENRICHMENT:

- Develop puppet shows that depict the three types of theft crimes. Present the shows to other classes.

- Create an interactive bulletin board. Place a map of your city or county in the center of the bulletin board. Divide it into areas. Let students pin point the areas of burglaries that they have read about and any new ones they find in the newspaper. (This could encourage newspaper reading at home!) Plot incidences of burglaries on a graph.

- Invite a speaker (e.g., law enforcement officer) to discuss ways to prevent burglaries and other crimes.

- Distribute newspapers and ask students to locate articles on burglary. This can be done in groups or individually. Have students identify who is suspected (or accused), if named, where and when the burglary occurred, and what was taken.

  Discuss the information. Ask students if they can discover any common times, places, or kinds of goods stolen. If so, count the incidences and see if they can reach generalizations about times or places of burglaries or the types of goods stolen.

- Tell students to think about some of the burglaries they have read about. Ask: Why is burglary a crime? Why do you think people steal from others? Why do we need laws to prohibit burglary?

Handout 1

Burglary, Theft by Taking, and Robbery

Burglary (O.C.G.A. 16-7 -1)

A person commits the offense of burglary when, without authority and with the intent to commit a felony or theft therein, he enters or remains within the dwelling house of another or of any building, vehicle, railroad car, watercraft, or other such structure designed for use as the dwelling of another renter. The offense is also committed if the person remains within any of these places without authority and with the intent to commit a felony or theft. For the purposes of this Code section, the term "railroad car" shall also include trailers or flatcars, containers on flatcars, trailers on railroad property, or containers on railroad property.

A person convicted of the offense of burglary for the first time shall be punished by imprisonment for not less than one nor more than 20 years.

Upon a second conviction for a crime of burglary occurring after the first conviction, a person shall be punished by imprisonment for not less than two nor more than twenty years. Upon a third conviction for the crime of burglary occurring after the first conviction, a person shall be punished by imprisonment for not less than five nor more than 20 years.

Theft By Taking (O.C.G.A. 16-8-2)

A person commits the offense of theft by taking when he unlawfully takes or, being in lawful possession thereof, unlawfully appropriates any property of another with the intention of depriving them of the property, regardless of the manner in which the property is taken or appropriated.

This is a misdemeanor (up to one year imprisonment) if value of goods is less than $500; if more, it is a felony, with a possible penalty of 1 to 10 years imprisonment.

Robbery (O.C.G.A. 16-8-40)

A person commits the offense of robbery when, with intent to commit theft, he takes property of another from the person or the immediate presence of another: (1) by use of force; (2) by intimidation, by the use of threat or coercion, or by placing such a person in fear of immediate serious bodily injury to himself or to another; or (3) by sudden snatching.

The penalty is 1 to 20 years imprisonment.

Handout 2

Name________________

ARE THESE BURGLARIES?

Directions: Read each example. Indicate if it is a burglary, theft by taking, robbery, or no crime. Write this after the example.

1. Children are invited to a birthday party. One of the children leaves the party area and goes into the bedroom where the mother keeps her jewelry. The child takes a necklace and several rings.

2. A child goes to a pool party without a towel. She asks permission to borrow a towel. She accidentally takes it home with her.

3. Two children are playing at a construction site where they are building a new house. Inside the house are some neat pieces of lumber and wire. They decide to take them home to build their clubhouse.

4. A child goes to a friend's house for supper and to spend the night. During the night he/she becomes hungry, so he/she goes downstairs to the refrigerator and takes an extra helping of pie.

5. On a dare, a child climbs through a window into the school. It is night and no one is there. The child takes items from several desks, including some baseball cards he wanted.

6. A friend gives you part of his snack and you eat it.

7. A child snatches the purse of an elderly lady, and runs away with it.

8. A child goes to a neighbor's house. He can't get anyone to come to the door. He pushes the garage door up and goes off on the bicycle that is sitting there.

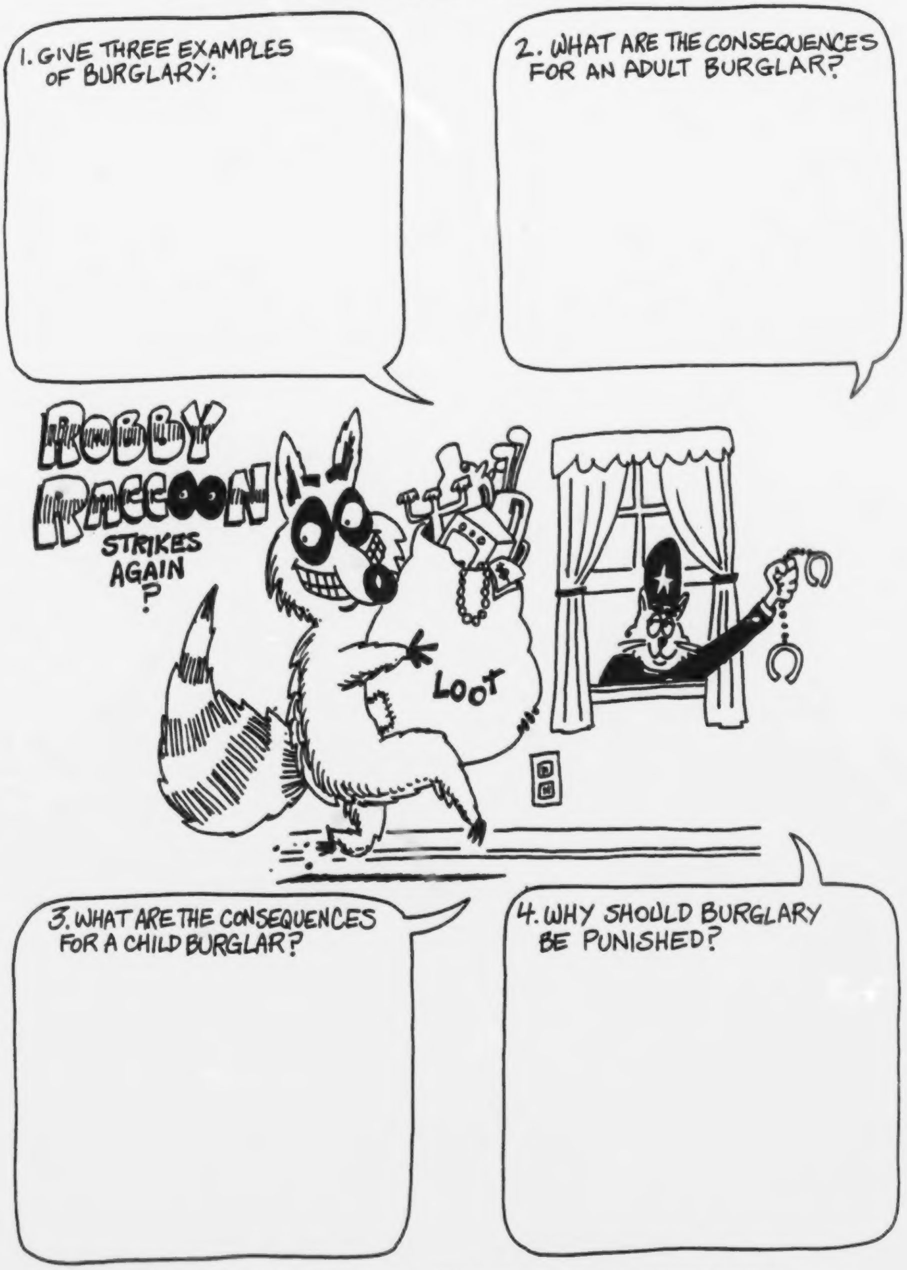
9. There is a railroad car sitting beside an abandoned warehouse. It has been there for a long time and no one has worked in the warehouse for a long time. A child finds a box inside the railroad car with toys in it. The child and his friend remove the box from the railroad car.

10. The door to the mobile home is open and the children go inside. There is a beautiful chocolate cake on the table, and they take it.

Handout 3

Name: ____________________ Date: ____________

ROBBY RACCOON STRIKES AGAIN!


1. GIVE THREE EXAMPLES OF BURGLARY:
2. WHAT ARE THE CONSEQUENCES FOR AN ADULT BURGLAR?
ROBBY RACCOON STRIKES AGAIN?
LOOT
3. WHAT ARE THE CONSEQUENCES FOR A CHILD BURGLAR?
4. WHY SHOULD BURGLARY BE PUNISHED?

GIVE THREE EXAMPLES OF WAYS TO AVOID A BURGLARY:

COPY CATS LOSE

GRADE LEVEL: 4-5 **AUTHOR:** Carol Strickland Hall

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Forgery; defraud; fictitious; altered; utters; offense; falsify; identification; intentionally

MAIN IDEAS:

a. Forgery involves altering the work of another and is a crime.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government in our state
4-19. Examines the role of a responsible citizen in the community and state

Skills

4-2. Collects information through reading, listening, observing, and surveying
5-16 Works within a group, following set rules of procedure, to complete an assigned task
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society
5-18. Works with others using democratic principles

INSTRUCTIONAL STRATEGIES:

Matching words related to forgery to dictionary definitions
Discussing and giving examples of forgery
Identifying forgeries

OBJECTIVES:

The learner will:
--explain what forgery is.
--give examples of forgery.
--explain the consequences of forgery.

TEACHER BACKGROUND:

From the Official Code of Georgia Annotated (16-9-1) forgery in the first degree:

A person commits the offense of forgery in the first degree when, with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

A person convicted of the offense of forgery in the first degree shall be punished by imprisonment for not less than one nor more than ten years.

16-9-3 Writing defined

For purposes of Code Section 16-9-1 the word "writing" includes, but is not limited to, printing or any other methods of recording information, money, coins, tokens, stamps, seals, credit cards, badges, trademarks, and other symbols of value, right, privilege, or identification.

Note: Forgery in the 2nd degree is the same as 1st degree forgery except that it need not be "uttered" or "delivered." The penalty is 1-3 years.

MATERIALS AND RESOURCES:

Handouts

1. Forgery Vocabulary Word Match
2. Georgia Law on Forgery
3. Is This Forgery?

Transparency Master

1. Large Blank Check

Overhead projector; dictionaries

PROCEDURES:

Period One

1. Write the word "FORGERY" on the board and tell students that forgery is a crime that many people are in prison for right now. Ask if anyone knows what the crime of forgery is all about. Write the following definition on the board for students to copy: "Forgery is when someone falsifies or alters a document for the purpose of cheating someone." A forgery attempts to make a document appear to have been written by or authorized by another person, or it may change parts of a document in an effort to give it a different meaning or effect.

2. Write the word FALSIFY on the board and ask if anyone knows what it means. Tell the students to think about the root word. Accept plausible answers and then explain that it means "to alter something so that it is untrue." Tell the students that in order to learn about forgery they will have to know several new words. Provide students with dictionaries and distribute Handout 1, Forgery Vocabulary Word Match. Have the students work either independently or in pairs to see if they can correctly match the words with their definitions.

   Note: If definitions are not in student dictionaries, you may need to assign several words to small groups to look up in a dictionary in the media center.

Once most of the students have finished, go over the Forgery Vocabulary Word Match and have the students correct any mistakes they made. Make sure that the students understand the meanings of the words.

3. Tell the students that Georgia law defines forgery as a crime. Distribute the Georgia Law on Forgery (Handout 2). Explain that the "Official Code of Georgia Annotated" is the set of books containing all of the laws of the state of Georgia. Help students read through the law, breaking the material down into simple sentences. Check to see if students understand the vocabulary words as they are used in the law.

   Remind the students that these are the ADULT penalties for forgery. A juvenile court would hear forgery charges brought against older juveniles. Parents might be ordered to pay any financial damages caused by the forgery. The courts would expect parents to deal with less serious instances of forgery, such as forging a note from your parent or guardian.

4. Display the large scale blank check provided on Transparency Master 1. Go over the parts of the check and then ask if it could be cashed. (Someone should recognize that a check is not good if not completely filled out and signed.) Ask if you could fill out the check for any amount you wished, make it payable to yourself or anybody else you wanted, and then sign the check owner's name to it. Try to get students to recognize that this would be forgery. Point out that changing any information on the front of a check would be forgery.

5. Inform the students that the crime of forgery applies to any document--even a falsified note from a parent or substituting your own name on another student's paper. Make sure that the students know that this type of forgery won't result in their going to jail, but that it is dishonest and will be punished by the school or their parents.

EVALUATION:

- Distribute Handout 3 and follow the directions. This should be done individually. When children are finished, collect papers. Discuss answers. (1, 2 and 5 are forgeries)

ENRICHMENT:

- Write a play showing an example of a forgery and what happened to the person who committed the crime. Present it to the class with some fellow students.

- Write a rap, poem, song, or slogan to help others understand they don't want to break the law.

- Create a bumper sticker or poster to let others know the consequences of forgery.

- Plan a field trip to the police station and/or ask a police officer to come to your class and discuss forgery, the procedures a suspected criminal must go through, and the consequences.

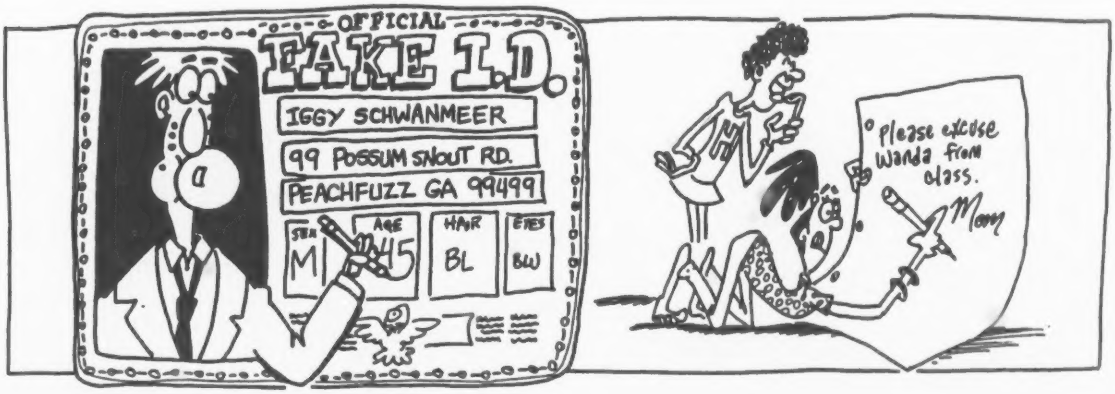
Handout 1

FORGERY VOCABULARY WORD MATCH

Directions:

Match the words in column one with their definitions in column two. Use your dictionary to look up the answers if you need help.

Column 1	Column 2
1. alter ____	A. evidence that you are who you claim to be
2. defraud ____	B. to make different without changing into something else
3. falsify ____	C. done on purpose
4. fictitious ____	D. a violation of the law
5. identification ____	E. to circulate
6. intentionally ____	F. to deprive of something by deception, to cheat
7. offense ____	G. to change or alter so as to deceive or defraud
8. utters ____	H. the product of imagination or invention, imaginary, made up


OFFICIAL
FAKE I.D.
IGGY SCHWANMEER
99 POSSUM SNOUT RD.
PEACHFUZZ GA 99499
SEX
M
AGE
45
HAIR
BL
EYES
BW
Please excuse Wanda from class.
Mom

Handout 2

GEORGIA LAW ON FORGERY

From the Official Code of Georgia Annotated

16-9-1 Forgery in the first degree.

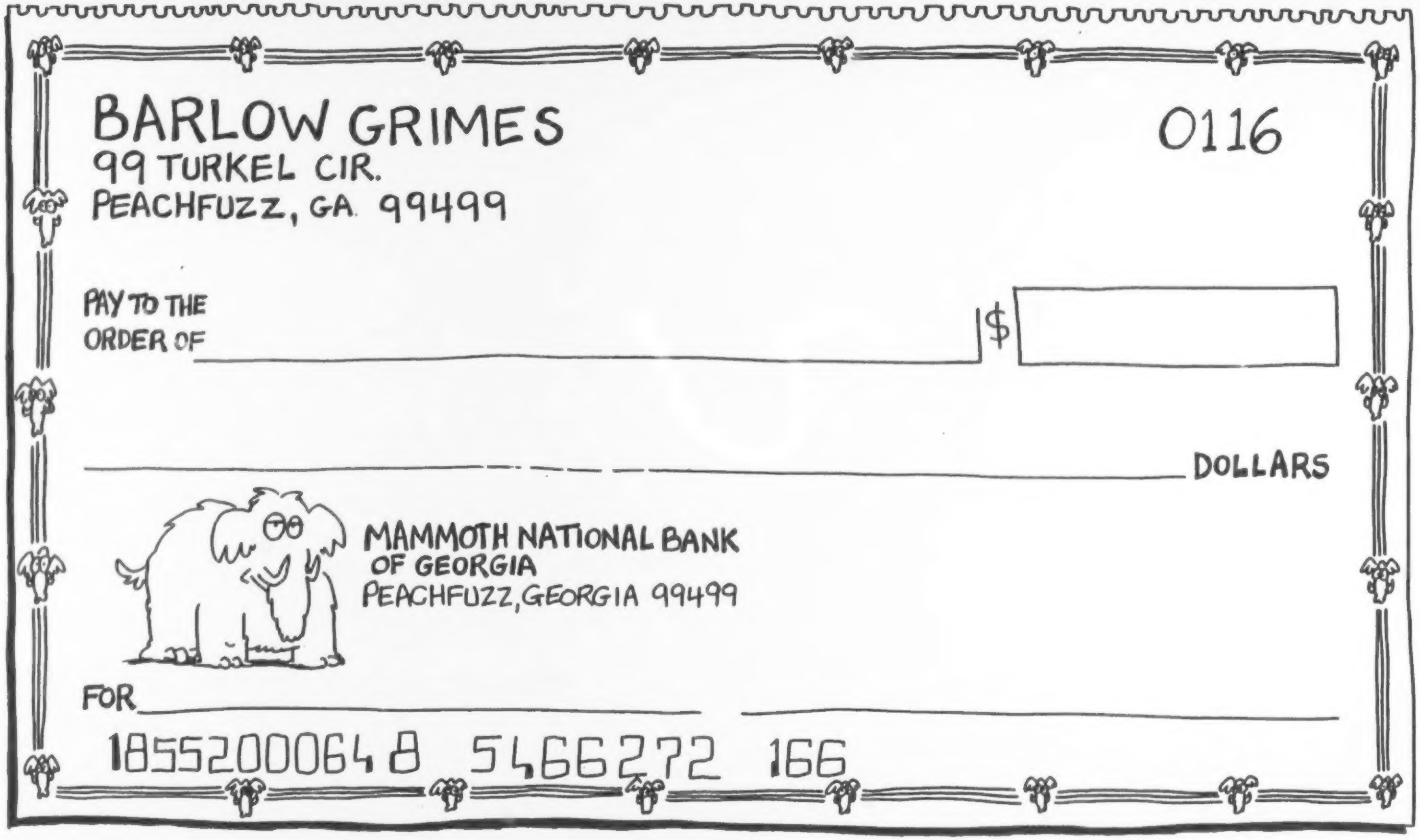
a. A person commits the offense of forgery in the first degree when, with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

b. A person convicted of the offense of forgery in the first degree shall be punished by imprisonment for not less than one nor more than ten years.

16-9-3 Writing defined

For purposes of Code Section 16-9-1 the word "writing" includes, but is not limited to, printing or any other methods of recording information, money, coins, tokens, stamps, seals, credit cards, badges, trademarks, and other symbols of value, right, privilege, or identification.

Transparency Master 1



BARLOW GRIMES
99 TURKEL CIR.
PEACHFUZZ, GA 99499

0116

PAY TO THE
ORDER OF ____________________ $

____________________ DOLLARS

MAMMOTH NATIONAL BANK
OF GEORGIA
PEACHFUZZ, GEORGIA 99499

FOR ____________________ ____________________

1855200064 8 5466272 166

IS THIS FORGERY?

DIRECTIONS: Read each example. Decide if it describes someone who committed a forgery. Write yes if it is a forgery and no if it is not a forgery. Write the consequences if it is a crime.

1. Your older brother, who is in college and has a very similar name to yours, gets a guaranteed credit card in the mail. You find the application for the credit card, sign his name to it and mail it in.

2. Your mom's checkbook is on the kitchen table. She has told you that you can have the brand new model airplane you have been wanting. She is very busy and you know how she signs her name, so you borrow her check book, sign her name and buy the new model airplane.

3. Your dad gave you a credit card to carry in your pocket when you went to Atlanta on a field trip. He thought you might need it for an emergency. He called the company and told them you had the authority to sign his name to a credit card bill. However, you used the credit card to buy your girlfriend a teddy bear.

4. Your teacher tells you to write a note to the office and tell them you need to use the phone. She says to print her last name on it and write your name beside it.

5. You have a class project due today. You had cheerleading practice and didn't finish the project. Your best friend says to write a note saying you were sick and could not finish the project last night. You follow your friend's advice and write a note to your teacher. Then you sign your mom's name to it.

DISTRIBUTIVE JUSTICE: AN ISSUE OF FAIRNESS

GRADE LEVEL: 4-5 **AUTHOR:** John Hoge

TIME REQUIRED: Two class periods

CONCEPTS:

Fairness; benefit; need; ability (capacity); desert ("deservedness")

MAIN IDEAS:

a. Need, ability (capacity), and desert ("deservedness") are three factors to consider when deciding upon the fair distribution of benefits to a group.

QCC CORRELATION:

Content

5-29. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

5-30. Identifies the role of the citizen in the decision-making process of government and policies in the United States

Skills

4-8. Analyzes information from two or more sources for agreements, contradictions, facts and opinions

5-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Analyzing problems concerning the fair distribution of benefits to classmates
Writing about real-life fairness issues
Analyzing a complex issue of fairness
Decision making regarding benefit distribution scenarios

OBJECTIVES:

The learner will:
--analyze scenarios to determine if the distribution of benefits based on need, ability (capacity), or desert ("deservedness"), was fair.

TEACHER BACKGROUND:

All people, young and old, encounter situations in which fairness becomes a central concern. Few of us, however, are actually taught how to make such decisions or how to judge the fairness of others' decisions.

Our first instinct is often to maintain that any sort of equal distribution is fair. For example, we realize at an early age that the fair way to split a candy bar between two people is to give each an equal portion. Knowing that the observer will surely take the biggest portion if given first pick, we might even learn that it is wise to have the person who actually performs the splitting to be the last to get his or her pick of the portions.

In real life, however, an equal distribution of benefits is not automatically fair. In fact, many situations arise when an equal distribution of benefits would be considered very unfair. These situations arise when the potential recipients of a benefit are unequal in terms of their relative need (deprivation), their ability to use the benefit, or their deservedness.

Learning to use these three tools for distributive justice is important for our own personal welfare and the welfare of our society. Few things make citizens more angry than being unjustly denied a benefit that has been provided to others, or conversely, learning that benefits are being given to those who neither need nor deserve them.

MATERIALS:

Handouts

1. Extra Help Vouchers (only one copy needed)
2. Baseball Benefits (may also be used as a transparency)
3. Case Study Data Cards
4. Case Study Data Collection Worksheet

Transparency Master

1. Fairness Factors

Five new pencils; overhead projector

PROCEDURES:

Period One

1. Tell the class that you've discovered that you have a problem. State that you have come to realize that many of them need extra individual attention, but that you simply don't have the time to help each one of them individually. Tell the class that you've read about how important individual help is and that it can BENEFIT the students who receive it. Ask if any of them would like to get individual help on some part of their school work? (Ask for a show of hands.) List these students' names on the board under the heading PEOPLE WHO WANT OR DESIRE INDIVIDUAL HELP. (Make sure the list contains more than five names.)

2. Now show the class five extra help vouchers (Handout 1) that are each worth 5 minutes of individual help and ask the students how you might decide who on the list should get them. Explain that this is all of the extra help time you will have for the foreseeable future. Take the students' suggestions regarding who should receive the vouchers and probe their reasoning as necessary. (See if the ideas of DESERT, "who deserves it the most;" NEED,"who seems to be getting the worst grades;" and ABILITY (CAPACITY), "who could make the greatest use of the extra help" come up. If they do, stress these ideas without telling the students outright that these are the three factors.)

3. Press the students toward deciding who should receive the extra help time vouchers and then distribute the vouchers according to their wishes. Once this is done, pause for a second and express your concern that this whole thing might not be fair. Indicate that you are not sure that the "right" students got the vouchers, and ask for a show of hands to indicate all those in favor of giving the vouchers to different students. (You might

even want to suggest that no one should get anything unless everyone could have the same benefit.)

4. Now show the students the five new pencils and tell them that you would like to give the pencils to them, but that there are not enough to go around and that you aren't sure who should receive them. Announce that they must decide who will get the five new pencils.

5. Without taking any suggestions, distribute the pencils randomly among the students and then ask if that seems fair. Some students may say "Yes," but others "No." Listen to and expand upon the students' reasoning. Ask the students to determine who should get the pencils. Is there any way to decide? Attempt to draw out the factor of NEED (as in who really needs a new pencil); ABILITY (as in who has the neatest writing and/or draws the best); and DESERT (as in who really deserves a new pencil, perhaps as evidenced by the fact that they seldom lose or break one).

6. Ask the students to redistribute the pencils among themselves and to justify their choices.

7. Challenge the class to help you make a list of "things to consider" (factors) in deciding who should get a benefit such as the extra help vouchers or the pencils when there is not enough for everyone. If the ideas of NEED, ABILITY, and DESERT come out, emphasize and define them.

8. Show Transparency 1, "Fairness Factors," and discuss any differences between these and what the students determined was important.

9. Ask the students to write a one-page summary of what they have learned about the fairness factors. Have them include a description of an unfair event and explain which of the three factors had been violated. Collect and review these papers in preparation for period two.

Period Two

1. Review the fairness factors by referring to the incidents that several of the students included in their papers. Point out that, in real life, issues of fairness are often difficult to solve.

2. Distribute Handout 2, "Baseball Benefits," to focus attention on a more complex real-life example. Read the scenario and use the following questions to guide discussion:

    a. Which teams needed the older players? (Answers vary, but might include: "The Coasters, because they didn't get any of them." "All of the teams needed older players." "The older players were needed most by the teams with the worst records.")
    b. Which teams had the best ability or capacity to use the older players? (Answers vary, but might include: "The weakest teams could make the greatest use of the older players because there was more for them to do. On a stronger team the older players might sit on the bench more.")
    c. Which teams deserved the older players most? (Answers might include "The teams that had worked the hardest without winning.")

3. Pass out the case study data cards and worksheets (Handouts 3 and 4) and ask the students individually to read each of the case studies to see if they can determine which

fairness factors were taken into consideration in determining how to distribute the benefits.

4. Monitor the students' reading and worksheet completion. Ask questions to see if students are processing the material in terms of the three factors.

5. When most of the students are finished, collect the worksheets and review the case studies in order to discuss any differences in the students' responses.

6. Summarize the lesson and ask the students to tell, in their own words, what three factors should be considered when a benefit is distributed but there is not enough to go around. Encourage the class to use these three factors in the future when they realize that someone is receiving a benefit.

EVALUATION:

- Check the worksheet (Handout 4) completed at the end of the lesson.

ENRICHMENT:

- Create skits for younger children that illustrate the fairness factors learned in this lesson.

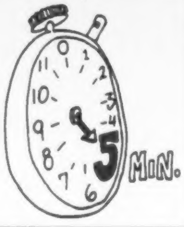
- Design and conduct a survey of parents' fairness concerns. Potential areas for the survey include taxes, public services, and forms of employment discrimination. Compile the data and invite parents and other spokespersons to come in and present their points of view.

Handout 1

EXTRA HELP TIME VOUCHER

This voucher entitles the bearer to five minutes of individual help on any school subject. This voucher is valid for a period of one week from the date of its issue and must be surrendered at the end of the help session.

Date of issue________



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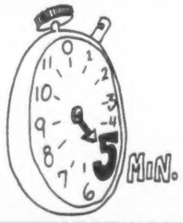

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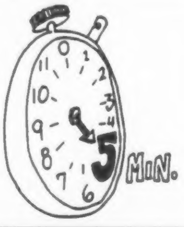

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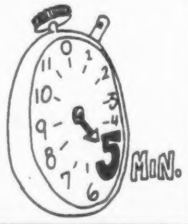

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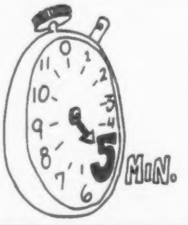


FAIRNESS FACTORS

NEED

ABILITY (or CAPACITY) and

DESERT (or "DESERVEDNESS")

are three factors to consider in deciding how to fairly distribute a benefit to a group of people.

NEED is a condition marked by the lack of something. We say a person has a **NEED** when he or she lacks something that others have.

ABILITY (or CAPACITY) means having the special skills or talents required to make good use of something. If we say a person has the **ABILITY** or capacity to use something, we mean they are old enough and smart enough to make good use of the item.

DESERT (or "DESERVEDNESS") is a word that refers to whether a person deserves or merits something. We often base judgments concerning how deserving a person is on how well that person has behaved or worked.

Handout 2

BASEBALL BENEFITS

The 1999 Little League season got off to a rocky start when several coaches complained that their teams had not been given their fair shares of older players. Randy O'Donnell, coach of the Coasters, threatened to quit, saying "There were eight 12-year-old boys in the tryouts and the Coasters didn't get a single one. I'm not a complainer, but how are we supposed to win when our oldest player is only ten?" The Bombers, the team that came in last in the previous season, got two 12-year-olds added to their team. Mr. O'Donnell went on to say "If we can't get our fair share of older boys, then we'll never have a chance of winning."

The newly elected Commissioner of Little League baseball, Sam Everson, heard O'Donnell's complaint and those of several parents who came to the Commission meeting. Everson stated that the players were placed on the teams based on their ability and on the desire of the League to make sure that last year's losing teams had a better chance at winning this year. Mr. Mepps, the father of a Coasters player, complained, "So you gave the older players to the weaker teams just so they would have a better chance at winning this year! Well I believe that is wrong. Just because a team like the Bombers had a losing season last year is no reason to help them more this year. I know it's tough when your team has a losing season, but the only fair way to distribute the older players is equally."

Commissioner Everson indicated that he was only trying to help those teams climb to the top that had been on the bottom for several years. He said a baseball dynasty had developed where just one or two teams were consistently the pennant winners and that, in his opinion, "this just wasn't fair." All of the teams need a chance to win, and by favoring some of the weaker teams with new players who are older, we will be helping every team in the League. We'll have greater competition and many more happy players."

An unidentified parent stood up and agreed with Mr. Everson, saying, "My son has played on a losing team for the past two years, and it almost broke his heart. His team played its best and practiced every evening, but they never seemed to win. Now, with some of these bigger players they may have a chance."

A group of hecklers in the back of the meeting were overheard saying that the coach of the Bombers was so bad that he couldn't even make good use of the older ball players. The Commissioner quickly adjourned the meeting, saying that he would take the heat for making the decision.

Handout 3

CASE STUDY DATA CARDS

1. BLANKETS FOR FLOOD VICTIMS

Spring flood victims in Kentucky were given blankets by the American Red Cross yesterday after temperatures dropped near freezing in most areas of the state. Kentucky, which has annual problems with spring floods in low-lying areas, was the first state to receive warm blankets this year despite the fact that floods have occurred in Louisiana, Arkansas, and parts of Alabama. A Red Cross spokesperson indicated that even though the floods were more severe in Louisiana, blankets were given to flood victims in Kentucky first due to the near-freezing temperatures.

2. VITAMINS FOR THE KIDS

Free vitamins are being distributed to children under that age of six through a new program of the office of Health and Human Welfare. The fruit flavored chewable vitamins are said to taste more like candy than medicine and are produced for the government by the maker of Flintstones®. Children under six from low-income families are eligible for the vitamins since they are the group which is in greatest need of this form of dietary supplement. Medenna Scott, a doctor who helped get the program started, explained that "older children are not as fragile as the very young and can get along without the vitamins."

3. NEW SHOES

It was almost unbelievable, but Mr. Page's two sons both needed new school shoes again. Joe, the older boy who was in fourth grade, had worn his sneakers for only three months, but already you could see where the ends of his shoes were about to open up. Joe's younger brother, Timmy, still wore the shoes his Mom had bought him three months earlier when he started kindergarten. Timmy's shoes still looked fine but he had outgrown them. Mr. Page knew it would be two weeks before he got paid again and there simply wasn't enough money to buy both boys new shoes. This was a tough decision to make. Both boys needed shoes. Joe insisted that he had taken good care of his sneakers and would take even better care of his next pair. He argued that he was more active than Timmy and played outside more. He felt that Timmy could wait two weeks, but he knew his sneakers "might blow out" any day.

4. NEW PENCIL SHARPENERS

The students in Ms. Peavey's room were shocked to find out that they would not be given one of the new "Adjustomatic" pencil sharpeners ordered for the school. They knew the old pencil sharpener on the classroom wall still worked, but it just didn't seem fair. Many of the other rooms had brand new pencil sharpeners on the wall. When Ms. Peavey overheard the complaints she intervened: "Now children, you know that you are beginning to write with ink pens, so it only seemed fair to give the new sharpeners to the lower grades. You know those younger students often break their pencil leads and that it's very hard for them to operate the old-fashioned kind of sharpener. We'll have to make do with what we've got until next year."

Handout 4

Name: ______________________________

CASE STUDY DATA COLLECTION WORKSHEET

Case Study Number One: Blankets for Flood Victims

Who got what? ____

____

Why? ____

____

Was this fair? ____

____

What factor(s) [need, ability, or desert] was (were) used to make this decision? Explain your answer in complete sentences.

____

____

____

Case Study Number Two: Vitamins for the Kids

Who got what? ____

____

Why? ____

____

Was this fair? ____

____

What factor(s) [need, ability, or desert] was (were) used to make this decision? Explain your answer in complete sentences.

____

____

____

Name:____________________________

CASE STUDY DATA COLLECTION WORKSHEET

Case Study Number Three: New Shoes

Who should get what? ____

____

Why? ____

____

What would you decide if you were Mr. Page? ________________

____

What factor(s) [need, ability, or desert] would you use to make this decision? Explain your answer in complete sentences.

____

____

____

Case Study Number Four: New Pencil Sharpener

Who got what? ____

____

Why? ____

____

Was this fair? ____

____

What factor(s) [need, ability, or desert] was (were) used to make this decision? Explain your answer in complete sentences.

____

____

____

IT'S MINE!

GRADE LEVEL: 4-5 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Theft crimes; deprivation; property; misdemeanor; felony; parties to a crime

MAIN IDEAS:

a. There are various kinds of theft crimes.
b. Some theft crimes are charged as misdemeanors.
c. Parties to a crime can be charged with the crime.
d. Students should respect the property of others.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government of our state
5-29. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

4-2. Collects information through reading, listening, observing, and surveying
5-16. Works within a group, following set rules of procedure, to complete an assigned task
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society
5-18. Works with others using democratic principles

INSTRUCTIONAL STRATEGIES:

Role playing and illustrating a shoplifting scene
Discussing various types of theft crimes
Reinforcing vocabulary through a "word find"
Discussing the need for respecting the property of others

OBJECTIVES:

The learner will:
--identify types of theft.
--differentiate between misdemeanors and felonies.
--explain the term "party" to a crime.
--explain why theft is a crime.

TEACHER BACKGROUND:

In cases of theft, theft means to deprive or withhold property of another permanently or temporarily, and/or to dispose of the property so as to make it unlikely that the owner will recover it. The offense may be either a felony or misdemeanor depending on the particular elements of the alleged offense.

The following crimes are always felonies:

--Shoplifting (if it is the fourth time the offender has been indicted)
--Burglary
--Theft by extortion
--Robbery
--Armed Robbery

The following crimes are felonies if the dollar amount exceeds $500.00:

--theft by taking
--theft by deception
--theft of lost or mislaid property
--theft by receiving stolen property
--theft of services
--theft by conversion
--theft by bringing stolen property into the state
--theft by receiving property stolen in another state
--theft by shoplifting

If the dollar amount is $500.00 or less, the crime is a misdemeanor.

Definitions

Misdemeanor: an offense of lesser degree than a felony, for which the punishment may be a fine and/or imprisonment in a local rather than a state institution for a year or less.

Felony: crimes such as murder, rape, or burglary, considered more serious than misdemeanors and punishable by a stricter sentence, i.e., a fine and/or imprisonment for a year or more.

Parties to a crime: Georgia law refers to everyone involved in the commission of a crime as a "party" to a crime. A person who planned a bank robbery--but didn't commit it --would be as "guilty" as the person who was proven to have done it.

A person can get arrested just because he or she is with someone committing a crime (e.g., shoplifting, drinking alcoholic beverages under age, etc.). If he/she can prove his/her innocence, no further action will be taken. But if a person in any way advises, encourages, aids, or participates in a crime--or hires someone to commit a crime--he or she is guilty of that crime under Georgia law.

Children charged with these delinquent acts come under the authority of the juvenile court. Generally, the court expects that parents or guardians will teach young children not to commit such acts and will discipline them if they do. The courts have considerable discretion with older children (or those formally complained about to the court), but judges try to adhere to the purpose of the juvenile court to do what is in the best interest of the child while keeping in mind the protection of society. A first offense would probably result in probation (court supervision) for a set period of time with a number of conditions. Symbolic restitution is sometimes used in these cases. This means a child must earn part of the value of the stolen item and give this to the victim.

MATERIALS AND RESOURCES:

Handouts

1. It's Mine Role-Play
3. Be a Detective!
4. Crime Matching Exercise

Attachment

1. Theft Crimes (duplicate and cut into strips)

Drawing paper and markers; mock store set-up for role play (optional)

PROCEDURES:

Period One

1. Prepare students to role play the store theft scene described in Handout 1. (The mock store may be set up before starting lesson.) Tell students you will need the following characters: 3 students, a store clerk, and a police officer. Let students volunteer for their parts. Distribute Handout 1 to the characters. Give them a few minutes to plan for acting their parts. Tell the remainder of the class to watch and be able to tell if a crime was committed.

2. After the role playing, ask students if there was a crime committed and, if so, what it was. Ask: What crime if any did youth A commit? What crime if any did youth B commit? What crime if any did youth C commit?

   Explain what Georgia law says regarding the "parties to a crime." How was youth B a party to the crime? (He planned it and he acted as a decoy.)

3. Ask students if they know of other theft crimes. List any crimes students may mention on the chalkboard. Tell students you will provide them with a list of other theft crimes with explanations. Distribute Attachment 1 and arrange the students in pairs. Give each pair a crime until all crimes have been assigned (some crimes may be assigned twice in a large class). Tell the students that you want them to read and discuss the crime they were given. They should be able to explain what it means, and give one or more examples beyond the one provided. Provide drawing paper and markers so each pair can illustrate their assigned crimes with a cartoon drawing.

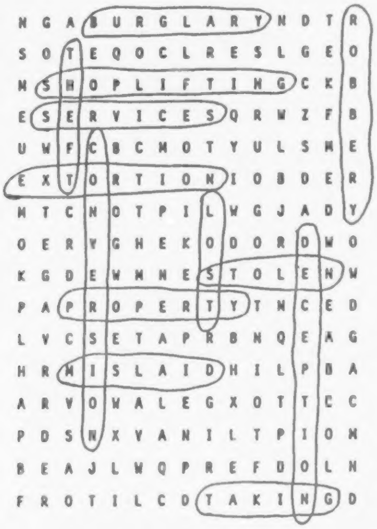
Period Two

1. Allow the students to finish up their discussion and cartoon drawing. Then have each pair define and give examples of their assigned crime. Ask the "artists" to explain their cartoon "crime." Display it on the wall with its proper label (e.g., "theft by taking").

2. Write the words "misdemeanor" and "felony" on the board. Ask the students if they know what these terms mean. When writing the definitions (penalties) on the board. Explain that these are penalties for adults. Have students refer to the list of theft crimes (represented by the cartoons displayed on the wall) and guess whether the thefts are misdemeanors or felonies. Review their guesses, providing correct information from the Teacher Background. Discuss why some thefts are misdemeanors and some are felonies.

   Discuss penalties for children using the information provided in the Teacher Background.

3. Tell students that you want them to be detectives with a "word hunt." Distribute Handout 2 and tell them most of the names of the crimes can be found in the "Word Find." Let students work in groups, or individually. Encourage students to write well thought-out sentences after the words have been found. See answer key for "Word Hunt" below.



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N G A B U R G L A R Y N D T R
S O T E Q O C L R E S L G E O
M S H O P L I F T I N G C K B
E S E R V I C E S Q R W Z F B
U W F C B C M O T Y U L S M E
E X T O R T I O N I O B D E R
M T C N O T P I L W G J A D Y
O E R V G H E K O D O R D W O
K G D E W M N E S T O L E N W
P A P R O P E R T Y T N C E D
L V C S E T A P R B N Q E A G
H R M I S L A I D H I L P B A
A R V O W A L E G X O T T E C
P D S N X V A N I L T P I O N
B E A J L W Q P R E F D O L N
F R O T I L C D T A K I N G D
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4. Brainstorm reasons people steal from and rob others of their possessions. Record reasons on chalkboard. Once the list is completed, discuss with students why society does not accept illegal behavior based on these reasons. Brainstorm reasons why these crimes are wrong. Discuss how they would feel if they were victims of any of these crimes.

EVALUATION:

- Distribute Handout 3, Crime Matching Exercise and have students complete it individually.
  Key to Crime Matching Exercise: 1. J; 2. F; 3. C; 4. E; 5. K; 6. G; 7. A; 8. I; 9. B; 10. D; 11. H.

ENRICHMENT:

- Invite a police officer or probation officer to speak to the class about laws involving theft crimes.

88

IT'S MINE! ROLE PLAY

Three youths go shopping at the mall. While in a small shop, youth A sees a shirt he/she likes. Youth A says to the others, "I don't have any money. If you will distract the sales clerk, I will put it in my bag."

Youths B and C agree. They stand between youth A and the clerk, talking loudly. Youth A puts the shirt in his/her bag.

Then youth B says, "I have some money, but this shirt is too expensive. You go talk to the sales clerk and I will change the price label." Youth C goes to talk to the sales clerk while youth B changes the label. Then youth B takes the shirt to the cash register. The sales clerk looks at the shirt and says, "I thought this was more expensive. Did you change the label?"

The three youths look uneasy. "And what is that in the bag?" says the sales clerk.

The youths become frightened and attempt to run. The sales clerk catches all three students outside in the parking lot, brings them back inside the store, and calls the police. He escorts them into his office and waits for the police to come. The value of the merchandise taken was $65.20. This was their first time getting in trouble with the law.

Handout 2

BE A DETECTIVE!

Directions: Find the hidden words and use them in sentences describing a crime. Underline the word being used in the sentence. Words may be used more than once.

Example: Mary's bike was recovered when Johnny was found guilty of receiving stolen property from another state.

BURGLARY
CONVERSION
DECEPTION
EXTORTION
LOST
MISLAID
PROPERTY
TAKING
THEFT
SERVICES
SHOPLIFTING
STOLEN
ROBBERY

N G A B U R G L A R Y N D T R
S O T E Q O C L R E S L G E O
M S H O P L I F T I N G C K B
E S E R V I C E S Q R W Z F B
U W F C B C M O T Y U L S M E
E X T O R T I O N I O B D E R
M T C N O T P I L W G J A D Y
O E R V G H E K O D O R D W O
K G D E W M N E S T O L E N W
P A P R O P E R T Y T N C E D
L V C S E T A P R B N Q E A G
H R M I S L A I D H I L P B A
A R V O W A L E G X O T T C C
P D S N X V A N I L T P I O M
B E A J L W Q P R E F D O L N
F R O T I L C D T A K I N G D

Handout 3

CRIME MATCHING EXERCISE

Directions: Place the correct definition from column 2 by its matching theft crime in column 1.

Column 1	Column 2
1. Theft by Taking ____	A. Sam threatens to take Luke's lunch money if he does not help him with his homework.
2. Theft by Deception ____	B. Susan finds a pretty blue jacket (her favorite color) on the playground. She does not give it to her teacher but hides it and takes it home to keep when school is out.
3. Theft by Receiving Stolen Property ____	C. Macy lives in Phoenix City, Alabama, but he has a cousin, Joe, who lives in Columbus, Georgia. Macy gives Joe a brand new ten-speed bike which he told him that he stole just before he left home. Joe is happy with his new bike.
4. Theft by Conversion ____	D. Johnnie was on his way home from school. He met an elderly lady walking down the street. He snatched her purse and ran.
5. Burglary ____	E. Susie borrowed her friend Susan's video cassette. She wanted to give her other friend, Joy, a birthday present. She gave Joy the video cassette.
6. Theft by Shoplifting ____	F. Jacob and two of his friends decide to trick their schoolmates out of some money. They tell their schoolmates that they are setting up a savings club. They get their friends and schoolmates to deposit their lunch money into the club. They later spend the money.
7. Theft by Extortion ____	G. Mary goes to a drug store and looks at the goods displayed. She sees a portable radio/cassette player with headphones that she likes. The radio costs $24.95. She alters the price to $14.95.
8. Theft of Services ____	H. Jodi and Jean were in the parking lot of a store. They saw a young man put his wallet in his pocket. They approached him with a knife they had found and demanded all of his money.
9. Theft of Lost or Mislaid Property ____	I. Josie has a friend, Don, whose father does birthday tricks for kids for a small fee. Josie gets Don's father to perform at his birthday but does not pay after the party is over.
10. Robbery ____	J. Katie's friend, Janice, visits her house on Saturday. While Janice is there she sees a hat that she likes. Janice picks up the hat and puts it inside her jacket.
11. Armed Robbery ____	K. Kevin and Joey were on the way to school and stopped at Scott's house. They rang the doorbell and discovered there was no one at home. They decided to break a window and go inside. They took two video games.

Attachment 1

THEFT CRIMES

1. Theft by Taking--A person commits the offense of theft by taking when he unlawfully, or without permission, takes the property of another with the intent of depriving that person of that property. (Example: Susie takes some money from her Mother's purse.)

2. Theft by Deception--A person commits the offense of theft by deception when trickery is intentionally used to obtain another person's property. (Example: Wendy says she'll watch everyone's watches while they swim because there's a locker thief. Wendy takes all of the watches she's given.)

3. Theft by Receiving--A person commits the offense of theft by receiving when he receives, disposes of, or retains property, which he knows or should know was stolen. (Example: Carol steals several earrings from the store. Laura is with her. Carol gives Laura a pair of earrings. Laura keeps the earrings.

4. Theft by Conversion--A person commits the offense of theft by conversion when he receives property and unlawfully disposes of the property without the owner's consent. (Example: Alice loans Sara her bike, and Sara sells it.)

5. Theft by Shoplifting--A person commits the offense of theft by shoplifting when he takes or conceals merchandise from a store without the intent to pay for it, or alters the price. (Examples: Kevin slips the watch into his pocket and leaves the store without paying for it. Carol puts a lower price tag on the dress before taking it to the cashier.)

6. Theft by Extortion--A person commits the offense of theft by extortion when he takes property from an individual by threat and/or intimidation. (Example: Jim says, "If you don't give me your lunch money, I'll beat you up.")

7. Theft of Services--A person commits the offense of theft of services when he obtains services by contract and avoids payment. (Example: Hal monkeys with his electricity meter so it doesn't show all of his use.)

8. Theft of Lost or Mislaid Property--A person commits the offense of theft of lost or mislaid property when he comes into control of property he knows or should know was lost or mislaid, then uses property for his own use without reasonable efforts to return it. (Example: Brenda finds a wallet with identification and $100 in it. She keeps it, not telling anyone.)

9. Theft by Bringing Stolen Property into the State--A person commits the offense of theft by bringing stolen property into the state when he brings into this state any property which he knows or should know has been stolen in another state. (Example: Charlie brings a carton of exclusive Chicago Bulls jackets, which he is sure were stolen, from Chicago to his cousin in Georgia.)

10. Burglary--A person commits the offense of burglary when he enters another person's dwelling (home, business or office) with the intent to commit a theft or other felony. (Example: Jason sneaks into the empty apartment and removes the TV and stereo.)

11. Robbery--A person commits the offense of robbery when, with intent to commit theft, he takes property of another by use of force, intimidation, or by sudden snatching. (Example: Sam grabs a woman's purse and runs away.)

12. Armed Robbery--A person commits the offense of armed robbery when, with intent to commit theft, he takes property of another by use of an offensive weapon, or a device having the appearance of such a weapon. (Example: Frank pulls a gun on the cashier and demands the money from the register.)

13. Possession of Tools for the Commission of a Crime--A person commits the offense of theft when he possesses any tools such as a screwdriver, a crowbar, or any object that can be used to enter a building to commit a theft when he is found in a suspicious manner. (Example: Ken, a stranger, is found in the hotel corridor with a device for picking locks.)

IS THE LAW REALLY FAIR?

GRADE LEVEL: 4-5 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Two class periods; two experience-experiment periods

CONCEPTS/VOCABULARY:

Fourteenth Amendment; discrimination; equal protection; due process

MAIN IDEAS:

a. The Fourteenth Amendment to the U.S. Constitution established the rights of all citizens to equal protection under the law and to due process.
b. Discrimination solely because of color, race, religion, national origin, sex, age, or handicap is generally illegal.

QCC CORRELATION:

Content

4-12. Determines that ways of living change over time and explains ways these changes occur (past to present)
4-17. Identifies famous Georgians and cites accomplishments made by them
4-19. Examines the role of a responsible citizen in the community

Skills

5-11. Identifies and defines a problem related to regions and cultures
5-26. States reasons for an advocated position

INSTRUCTIONAL STRATEGIES:

Discussing information about the Equal Protection Clause
Discussing the effects of discrimination
Experiencing discrimination practices in classroom
Identifying illegal discrimination

OBJECTIVES:

The learner will:
--experience "favorable" and "unfavorable" discrimination.
--determine unfair discriminatory practices that violate the "equal protection" law.
--explain importance of Fourteenth Amendment and Brown v. Topeka Board of Education.

TEACHER BACKGROUND:

The Fourteenth Amendment is one of the most important parts of the Constitution. It was passed to stop state governments from discriminating unfairly against black Americans. Its Equal Protection Clause is used to protect people from unequal treatment. The Fourteenth Amendment clause states ... "nor shall any state deprive any person of

94

life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The amendment was passed in 1868, but it did not stop unfair treatment of black people. Many states continued to pass laws that unfairly discriminated against them. The Supreme Court upheld laws that supported the idea of "separate but equal." This meant that if the facilities were provided on an equal basis for blacks, it was all right for the facilities to be separate from white's facilities. Separate but equal also meant that hotels, restaurants, restrooms, drinking water fountains, and even schools could be reserved for the use of white people only. It meant that black people could be forced to sit in sections in backs of buses or movie theaters.

In 1954, the Supreme Court changed its interpretation of the equal protection clause in one of the most important cases in our country's history: Brown v. Topeka Board of Education. Linda Brown, a seven-year-old black student who lived in Topeka, Kansas, had to pass a school attended by white children in order to get to a school attended by black children. That school was 21 blocks from her home. Her parents sued the school board of Topeka on the basis of discrimination and violation of the equal protection of the law. Thurgood Marshall, later a Supreme Court justice, argued this and several similar cases before the Court. He said that segregated schools could not be equal. The Supreme Court agreed. The Court said that requiring black children to attend separate schools denied them equal protection under the Fourteenth Amendment. Subsequently the court held that other forms of segregation in facilities serving the public, like restaurants and hotels, were also discriminatory and unconstitutional.

The Georgia Constitution also provides for equal protection. It states: "Protection to person and property is the paramount duty of government and shall be impartial and complete." It also states that: "No person shall be denied the equal protection of the laws." (Article. 1, section. 1, paragraph. 2.)

How are the Equal Protection Clauses applied? The courts recognize that discrimination is frequently unavoidable. For example, if only a given number of seats are available for a basketball game, everyone who wants a ticket may not get one; or if a law gives benefits to farmers, non-farmers may not benefit.

The courts look with particular suspicion on acts that appear to discriminate against groups that have a history of having been discriminated against. Courts are particularly on the lookout for actions that discriminate against people because of race, national origin, or alien status. They are also concerned about discrimination against people because of gender, age, religion, and, more recently, disability. All these groups are called "suspect classes." (Have students note that these characteristics--with the exception of religion--are things that people cannot change.)

Further, in applying the Equal Protection Clause to laws and government actions, courts are particularly concerned if a fundamental right such as voting is involved. If any discrimination may occur, the courts must find a strong reason for it. For example, the courts have upheld the age limit on drivers' licenses for reasons of public safety.

NOTE: This background is very brief. For a more in-depth classroom discussion, it is recommended that you review other sources. Secondary law-related education texts, for example, provide amplification of laws and cases.

MATERIALS AND RESOURCES:

Handouts

1. Are These Situations Unfair?
2. Favored Group Report
3. Restricted Group Report
4. Are These Laws Fair?

PROCEDURES:

Period One

1. Ask students if they have ever said, "That's not fair!" to anyone? Explain that, at times, we have all felt that we were being treated unfairly.

   Discuss how fairness is important to everyone. Even the writers of the United States Constitution were aware of this issue. Tell students that you want them to start thinking about issues of fair or unfair treatment.

2. Distribute Handout 1, "Are These Situations Unfair?" Divide students into small groups and ask each group to reach agreement on what is fair or unfair in each situation. Have groups share responses with the class, and discuss.

3. Write the words "discrimination" and "equal protection" on chalkboard. Elicit responses from students about the meanings of these terms. Then supply the following definitions:

   a. discrimination--unfair treatment of people because of their race, religion, sex, age, or national origin, or because of disability.

   b. equal protection--treating all people equally under the law.

4. Using the Teacher Background, discuss with students that equal protection under the law is provided through the 14th Amendment to the U.S. Constitution.

   Review the fact that for many years the courts held that equal protection was provided by "separate but equal" facilities. Point out what this meant. Explain that this changed with Brown v. Topeka Board of Education. In the 1960s, public places like theaters, swimming pools, restaurants, etc., could no longer legally discriminate. Laws were also passed to end discrimination in housing and in the workplace.

5. Explain that the 14th Amendment and Brown particularly referred to discrimination against black people. But other groups have faced discrimination. Brainstorm a list with the class. It should include such people as Asians, Native Americans, Hispanics, the elderly, women, religious groups, and those with disabilities.

   Explain that these groups are called "suspect classes," and that courts particularly try to protect them from discrimination.

6. Review Handout 1 again. Ask students to tell who was discriminated against solely on the basis of race, religion, national origin, age, or disability.

Explain that denying a right solely on basis of discrimination violates the Constitution. For example, in Situation A, an employer could turn down someone on the basis of his or her disability or age only if the employer could show that the applicant could not possibly do the job because of the disability or age. Is that the situation in Situation A? In Situation B?

In Situation C, does it make any difference whether Rodriquez and his family speak English well? (No. It is an excuse for discriminating.)

Ask if in Situation D, there were a sign saying, "No Jews." would it make a difference (No.) If businesses such as restaurants, hotels, and movies are open to the public, they cannot turn someone away on basis of race, disability, religion, or national origin. However, there is a situation in which a business might not serve someone because of age. Ask students to guess. (Answer: A business would not serve someone under 21 alcoholic beverages.)

Look at Situation E. Would it have made a difference if the boys were making a commotion? (Yes.)

Periods Two and Three

1. Tell students that you are going to engage them in two discrimination experiences.

   Separate the class into two groups, based on some arbitrary characteristic such as by height, color of clothes, or type of shoes. Tell Group A they are the "favored " group; therefore, they get rights and privileges denied to Group B. Group A may be the first to get their lunches in school today, they may have restroom privileges whenever they want, they may have library privileges to check out books for pleasure reading that day, and they can move around and speak in class whenever they want. The favored group may dictate to the restricted group members where they may or may not sit in the classroom and the lunchroom. Instruct Group B that all these privileges are denied them because they are in Group B. Reverse the two groups on the second day (or second half of the day).

   At the end of each session, have the students think about how they feel about the experiences and fill out the appropriate Handout (2 or 3).

Period Four

1. Collect and review handouts. Engage the class in a discussion of how it felt to be part of the favored group and how it felt to be the group who was discriminated against. Brainstorm a list of "bad" results of discrimination.

2. Discuss: Was the teacher being fair in treating the class that way?

   Inform students that there are many situations today that require the courts to continue to interpret the Fourteenth Amendment to ensure that all citizens are treated fairly and equally. Ask for and discuss examples of discrimination today.

EVALUATION:

- Distribute Handout 4, "Are These Laws Fair?" For each law, have students write down who would be discriminated against and whether they think the law would be struck down by courts because its major purpose is discrimination.

  Answers to Handout 4:
  1. This is an example of unconstitutional race discrimination.
  2. This is an example of unconstitutional race discrimination.
  3. This is an example of unconstitutional sex discrimination.
  4. This is an example of unconstitutional sex discrimination.
  5. This is an example of unconstitutional discrimination against families The U.S. Department of Housing and Urban Development issued regulations in 1989 prohibiting discrimination against families. An exception was made for complexes clearly occupied by and maintained for elderly.
  6. This is unconstitutional. Students should note however, that a person must have been born in U.S. to be President.
  7. This is unconstitutional.
  8. This is not unconstitutional.
  9. This is not unconstitutional.
  10. This is not unconstitutional; the West Virginia Supreme Court has upheld such a law in that state.

ENRICHMENT:

- Have students research some prominent Georgians who have fought for civil rights laws. Include in the reports how the issues relate to the Fourteenth Amendment's Equal Protection Clause and the Georgia Constitution. Share reports with the class.

- Invite a member of a minority group to discuss discrimination and unfair treatment he or she has experienced or witnessed.

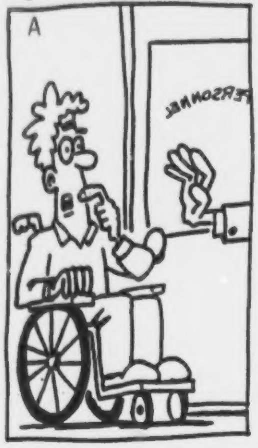
- Invite a lawyer specializing in civil rights or liberties cases to speak to your class about working to ensure fair and equal treatment to all citizens. Possible sources of attorneys: American Civil Liberties Union, National Association for Advancement of Colored People, and State Bar Committee on Individual Rights.

Handout 1

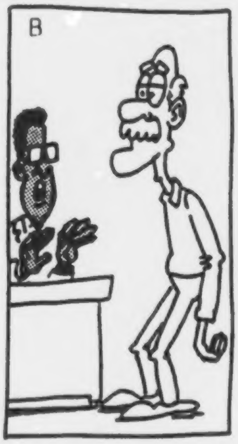
ARE THESE SITUATIONS UNFAIR?

Decide in which of these situations people are treated fairly or unfairly. Be prepared to give your reasons.

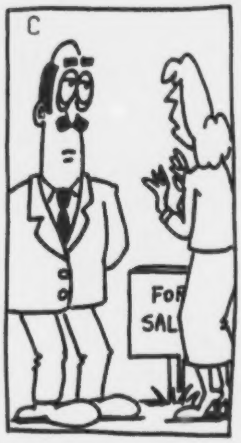
SITUATION A. Joseph is seventeen years old and uses a wheel chair. He applies for a job as a newspaper carrier. He is denied the job because of his disability.



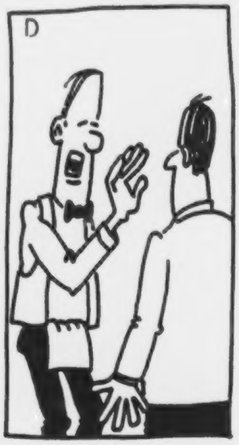
SITUATION B. Jane's grandfather is sixty years of age. He applies for a job with a company in his hometown as a machinist. He is denied this position because of his age.



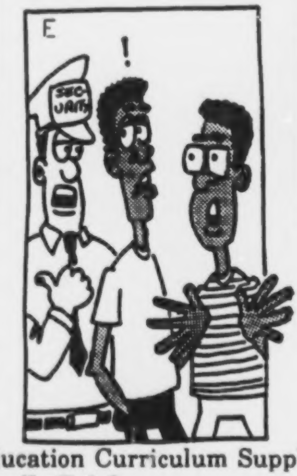
SITUATION C. Rodriquez, who is Spanish, and his family move to a city. They want to buy a home in a very nice neighborhood. The owner turns them down, saying they don't speak English well.



SITUATION D. A Jewish family traveling in Georgia stops at a "classy" restaurant. They are denied service although the restaurant isn't busy.



SITUATION E. A group of five black boys, ages 11-16, is talking quietly in one of the shopping malls. Suspecting potential trouble, a police officer orders them to disperse.



Handout 2

FAVORED GROUP REPORT

Directions: Record your comments below. Please do not put your name on the sheet.

1. How do you feel being a member of the select group?

2. Do you think you should be treated favorably? Why/Why not?

3. How do you feel toward the restricted group?

4. Why should they be treated less favorably than you?

5. Would you like to belong to the restricted group? Why/Why not?

Handout 3

RESTRICTED GROUP REPORT

Directions: Record your comments below. Please do not put your name on the sheet.

1. How do you feel being a member of the restricted group?

____

____

____

2. Do you think you should be treated less favorably than the other group? Why/Why not?

____

____

____

3. How do you feel toward the "favored" group?

____

____

____

4. Why should they be treated better than you?

____

____

____

5. Would you like to belong to the "favored" group? Why/Why not?

____

____

____

ARE THESE LAWS FAIR?

Directions: Write down who would be discriminated against for each law. Then decide whether the court would strike down the law, and the basis for its decision.

1. Your state has a law that says students of different races must attend different schools.

2. Your state has a law that says your family cannot live in a certain section of town because of your race.

3. Your city has a law that says men and women cannot receive equal salaries for the same jobs.

4. Your city has a law that says a woman cannot be a police officer.

5. Your city has a law that says families with children cannot live in certain apartments.

6. Your state has a law that says people who were not born in this country cannot become elected officials in government.

7. The federal government has a law that says a person of a certain religion cannot become president of the United States.

8. Your school district has a regulation that says teachers cannot work other part-time jobs.

9. Your city has a law that says persons with wheel chairs cannot ride city buses.

10. Your state has a law that says students who drop out of school cannot receive or maintain drivers' licenses.

VANDALISM--WHO PLAYS & WHO PAYS?

GRADE LEVEL: 4-5 **AUTHOR:** Debra Mooney

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Vandalism; criminal trespass; graffiti; defacing public property; peer pressure; felony; misdemeanor; malice; restitution; perpetrator

MAIN IDEAS:

a. Vandalism, a recognizable vice in our society, is often seen on school property and in public parks.
b. The consequences of vandalism are costly to society (taxpayers).
c. There are consequences for vandalism in criminal and civil law.
d. Our attitude toward public and private property must be one of protection and responsibility.

QCC CORRELATION:

Content

4-19. Examines the role of a responsible citizen in the community and state
4-23. Engages in discussion with others

Skills

4-7. Analyzes and interprets pictographs, circle graphs, bar graphs, diagrams and photographs to answer selected questions at varying levels of difficulty
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society
5-28. Participates in planning for effective action in civic affairs

INSTRUCTIONAL STRATEGIES:

Teacher-directed introduction and discussion of vandalism
Small group discussion of vandalism cases
Role playing and discussion of vandalism situations
Brainstorming of ways to avoid vandalism
Completing data collection chart and worksheets

OBJECTIVES:

The learner will:
--recognize vandalism in our society.
--identify possible causes of vandalism.
--participate in positive actions to curtail graffiti in the school setting.
--explain the legal penalties for vandalism.

TEACHER BACKGROUND:

General

In Georgia, the crime of vandalism is generally referred to in the law as criminal trespass or criminal damage to property. (O.G.C.A. 16-7-21 to 29)

Criminal trespass

A person commits the offense of criminal trespass when he intentionally damages any property of another and the damage is $500 or less. It can also occur when a person intentionally and maliciously interferes with another's use of his property without his consent. But, there do not have to be damages for the offense of criminal trespass to occur.

The law names specific places where criminal trespass can occur. These are another person's land or premises, vehicle, railroad car, aircraft, or watercraft.

Criminal trespass can occur if a person knowingly and without authority enters any of these places, or enters these places after having been forbidden entry, or refuses to leave these places after being told to do so.

Criminal trespass in the above instances is a misdemeanor.

More serious offenses

If the damage is more than $500 or if damage is done by an explosive or fire, the offense becomes criminal trespass in the second degree. This is a felony carrying a 1-5 year penalty and a fine of up to a 10,000 dollars.

Criminal trespass in the first degree occurs if a person interferes with property in a way that might damage human life. It carries a penalty of 1-10 years and a fine of up to 10,000 dollars.

Specific Kinds of Vandalism or Trespass

Damaging, injuring, or interfering with property of a public utility or other public service is generally a misdemeanor. Examples would be destroying a water or gas line, an electric service or phone line, a sign post, a street light, or interfering with a meter so as to reduce rates. However, violent or forceful damage to public transportation, communication, or other public utilities is a felony (with 1-10 year penalty).

Destroying, damaging or defacing government property carries a penalty of 1-5 years imprisonment and is also a felony. Obstructing entrances or exits to government property is a misdemeanor.

Maliciously defacing or desecrating any place of public religious worship is a felony carrying a sentence of 1-5 years.

Intentionally or maliciously injuring, tearing down, or destroying a mailbox (or damaging any mail inside) is a misdemeanor.

Starting a fire in woodlands, brush, or fields without an owner's permission (even by carelessly discarding a lighted cigarette) is a misdemeanor.

Civil penalties

Students should also be aware that whether or not criminal charges are filed and prosecuted, they (or their parents) may be sued for damages under the civil laws. In the civil law, trespass (going on someone's property without permission) is a tort. The person whose property is violated can sue. Financial damages do not have to be shown to prove trespass. They would be shown to prove extent of vandalism.

Penalties for Children

The law expects parents to discipline younger children when they commit wrongdoings. Older children committing vandalism may have to appear before the juvenile court. The punishment would be affected by the severity of damages and previous offenses. With the first offense, it is likely to be probation (court supervision) for a period of time. The judge can set many conditions. Possible conditions include hours of community service and restitution (repayment of all or part of damages by child).

MATERIALS AND RESOURCES:

Handouts

1. Vandal Vipers
2. Vandalism Costs
3. The Bare Facts--It's Not Just A Prank!
4. Graffiti Buttons and Membership Cards
5. To Tell the Truth

Attachment

1. Graffiti Writing Role Playing Cards

PROCEDURES:

Period One

1. Tell the class to listen to the following newspaper report.

> Vandals destroyed over $7,000 worth of windows and mirrors at the old Magnolia High School last night. The school, which has been vacant for the past year, was recently renovated to prepare for housing the increasing population of elementary age pupils. Sometime after workers left yesterday, several vandals smashed many of the windows and the mirrors inside the two-story building.
>
> Police are still investigating the scene for clues as to the identity of the vandals. Local residents reported hearing the commotion and reported it to the police. If anyone has information concerning this case, they should report it to the local police department immediately.

2. Ask the following questions about the story:

    a. Why do you think young people or adults would participate in such an activity? (Possible answers are: peer pressure; a desire to hurt someone or some group; aimlessness and boredom; etc.)

    b. Who must pay for the loss of property if the perpetrators cannot be found? (Taxpayers, parents of all students)

    c. What would peer pressure in this situation sound like? (Encourage students to offer phrases such as: "Come on throw a rock," "See if I can hit this one," etc.)

3. Write the definition for vandalism on the chalkboard.

    "Vandalism is the willful or malicious destruction or defacement of things of beauty or of public or private property."

    Have the students read the definition together orally. Discuss terms (such as "willful" or "malicious destruction") used in the definition that may be unclear to the students.

    Discuss the difference between public and private property. (Public property is property owned by governments, and, hence, taxpayers and citizens.) Ask students to give examples of beautiful things and public and private property to clarify the definition. Ask: "Does vandalism include harming human beings?" (No. Stress that vandalism is the defacement or destruction of things.)

4. Divide the class into groups of three students each. Distribute one copy of Handout 1, "Vandal Vipers," to each group. Instruct the students to read each situation and to use the definition given to decide whether it is an example of vandalism. (Nos. 2, 4, 5, and 8 are acts of vandalism.)

    Instruct each group to choose a recorder, a reporter, and a policeman to keep the group on task. When the groups have had sufficient time to finish, call on the reporters from each group to share the decisions made by the group with the class. If needed, lead a large group discussion of each situation and attempt to come to a consensus on each situation.

5. Tell students that one form of vandalism is graffiti writing (introduce the term) or defacing of public property. Explain that you have noticed this form of vandalism almost everywhere you go--even occasionally at school.

    Ask students where they have noticed graffiti writing. List their responses on the chalkboard. Examples might be outside walls, restrooms, walls, books, gym.

    Discuss the following question: Why do you think people write on public property? (Probable answers: to achieve recognition--"Dave Smith was here!"; to achieve a feeling of power--"I am the greatest!"; or to send a message--"Go Bulldogs!")

6. Cut out the "Graffiti Writing" role-playing cards (Attachment 1), and select two volunteers to act out each scenario. Choose one student to be each graffiti-writing offender. The child then reads his/her role on the card and acts out the offense. Second student must react to the offender. This student wishes to see graffiti writing stopped.

Debrief each role play by discussing the actions, feelings, and words of the players. Ask observers how they felt about the role-play? What might the second student say to stop the graffiti writer?

7. Copy the three headings in the top portion of the chart below on the chalkboard. Tell the students that the chart will be used to help them discover ways to prevent vandalism.

   Have students work in the same small groups as before. Have a recorder in the group copy the three headings of the chart. Students should then brainstorm ideas to fill in the chart. (You may need to give an idea in each column to get the groups moving along.)

   Set a time limit of five minutes for this brainstorming activity.

   At the conclusion of this activity, let each reporter share one column of information with the total class.

Ways to share messages without destroying property	Ways to get rid of anger in a constructive way	Activities to stamp out boredom and still obey the law
Examples: Telephone conversations Write in student annual Make posters Give a speech Write for school newspaper	Examples: Run laps Take a walk Talk with a friend Count to ten	Examples: Biking Hiking Watch a movie Skating

Period Two

1. Tell students that another area of vandalism is our public parks. Think of a public park near you. Ask students what they think the number one form of vandalism is in most picnic areas.

   List suggestions on the board. Reveal the top five types of vandalism in picnic areas (identified in a poll of parks reported in the Parks and Recreation magazine). Write these on the board:

   1. Litter
   2. Tables scratched and carved
   3. Trash receptacles damaged or overturned
   4. Tables broken or removed from site
   5. Tables destroyed for firewood

   Ask how can vandalism of this type be reduced? Write suggestions beside each violation. Share the following ideas:

   a. Litter-free environments discourage littering. Ask: Why do you think this is so?
   b. Concrete picnic tables, instead of wooden tables, reduce scratches, carving, removal from park site, and, of course, make it impossible to use the tables for firewood.

2. Children's playgrounds are also an area of widespread vandalism. Ask: How do you feel when you visit a playground only to find the equipment ruined or too damaged for safe play?

   Have students react to the following role-playing situation: (Ask for two volunteers to play the roles of Matt and Jeff.) Read the paragraph to the class and allow the student volunteers to act out their reaction to the damage. What would Matt and Jeff say and do?

   > Matt and Jeff rode their bikes to a nearby playground. When they arrived, they found all of the swings torn apart. The seats were cut in half. They found sand, dirt, and rocks on the slide. The jungle gym had bars missing, and some of the bars had been greased. Ropes had been cut until only threads were left.

   After the role-playing, ask class:
   a. How does this vandalism interfere with normal activities?
   b. What effect does vandalism have on our safety? (Innocent children are often hurt in these situations.)
   c. What should you do so that others are not injured? (Advise reporting this damage to parents, park officials, or the police.)

3. Have students complete Handout 2, "Vandalism Costs." Answers are: 1) $715.50; 2) $188.59; 3) $635.61; 4-1) School; 4-2) Park; 4-3) Bus; 5) $1,539.70.

   Ask who pays for this damage when restitution is not made by the wrongdoer. (Restitution means payment for damages.) Explain that damages to public property would be ultimately paid for by taxpayers. Damages to private property are paid by owners directly or through insurance premiums.

4. Ask students why they think vandalism is against the law. (Public property belongs to everyone and must be protected for the enjoyment of all. Private property must be protected for the individual. Cost of replacement or repair is expensive.)

5. Ask what are the penalties for vandalism to school property? (Check with administration or student handbook for this information.) For example, does penalty include in- or out-of-school suspension, detention, or tribunal hearing? Is restitution demanded?

6. Distribute Handout 3, "The Bare Facts--It's Not Just A Prank." Tell students that when a juvenile becomes an adult the consequences of vandalism are much more severe. Remind students that ignorance of the law is no excuse and citizens are responsible for knowing the law. Before the discussion, explain to students the meanings of the terms:

   MISDEMEANOR--a crime less serious than a felony. A misdemeanor carries a maximum penalty of one year or less in jail and/or a fine of $1,000 or less.

   FELONY--a serious crime punishable by a prison sentence of a year or more.

   Explain that vandalism also can carry civil law as well as criminal law penalties. A person whose property is harmed can sue those who damaged it for the cost of the damages.

Call on individual students to read each box of information in Handout 3. Allow students to discuss what they think the penalty is for an adult. After discussion of each box, the teacher should provide the correct answer. (See Teacher Background for discussion of these offenses.) Have students fill in the boxes as they are discussed. Answers are: (1) Felony--1-5 years; (2) Misdemeanor--up to 12 months; (3) Misdemeanor--up to 12 months; (4) Felony--1-5 years; (5) Felony--1-10 years; (6) a. Damage--Felony 1-5 years b. Obstruction-misdemeanor; (7) Misdemeanor--up to 12 months; (8) Misdemeanor--up to 12 months.

7. Encourage student reaction to the law concerning vandalism. Were students surprised by the severity of the law concerning certain acts such as damage to a mailbox? Tell students that mailbox damage is also a federal crime. Some teens think it is fun to destroy mailboxes with bricks or baseball bats. In August of 1990, teenagers in Gwinnett County, Georgia damaged as many as 200 mailboxes in one night. Four teens were arrested.

   Do students think most people take such crimes as seriously as they should? Encourage discussion and ask students what penalties might be for juveniles.

8. Distribute Handout 4 and ask for volunteers to join a Graffiti Patrol. They may sign up on a volunteer basis by signing a pledge card or a volunteer patrol list. Provide rules for the patrol and have students sign the pledge. Let the students color and wear the sample "Wipe Out Graffiti" badge when they are on patrol.

EVALUATION:

- Have students complete Handout 5, "To Tell the Truth," and turn it in when completed. Make a bulletin board display using their responses.

ENRICHMENT:

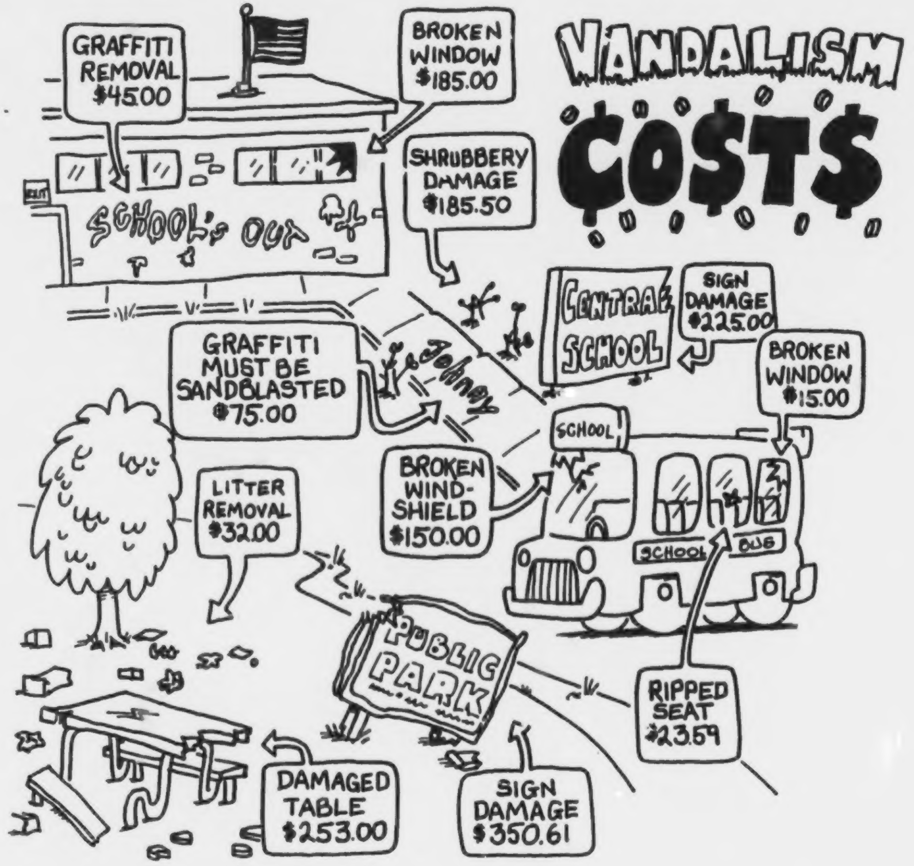
- Write articles for school newspaper expressing concern to stop vandalism.
- Make posters for school to encourage students to take care of school property. Encourage participation from student council.
- Contact city government. Request information about expense city incurs in this area.
- Write letters to mayors of different cities to compare their annual costs of vandalism.
- Encourage classes to pick up litter on the school grounds.

VANDAL VIPERS

Directions: Cross out boxes that you do not feel are examples of vandalism.

1. Stacey, who is 12 years old, likes bright and vivid colors. She decides to paint her room purple and add a few pink polka dots for interest. Her parents told her not to do it.	2. Jerry is a grocery store manager. He catches a young boy who has shoplifted a 5 pound bag of sugar. The next night after he closes the store, he finds his gas cap missing and sugar poured into his tank.
3. Brandon and Rachel are running for political office. They place political posters along the highway.	4. Ryan and Christopher are camping in a public park. They need firewood, and it is late at night. They decided to chop up the picnic table. It is well worn anyway.
5. Lucy and Maxine put stickers on their school desks.	6. James fishes out of a public lake.
7. Leonard throws paper wads and hits Becky in the head.	8. Tim carves "I Love Karen" on a tree in a public park.
9. Jonathan is told by his teacher to stop drumming on his desk.	10. Caleb takes water from a creek in a public park to fill his radiator.

NAME______________ DATE____________


VANDALISM
COT
GRAFFITI REMOVAL $45.00
BROKEN WINDOW $185.00
SHRUBBERY DAMAGE $185.50
SCHOOL'S OUT
CENTRAL SCHOOL
SIGN DAMAGE $225.00
BROKEN WINDOW $15.00
GRAFFITI MUST BE SANDBLASTED $75.00
Johnny
SCHOOL
BROKEN WIND-SHIELD $150.00
SCHOOL BUS
LITTER REMOVAL $32.00
PUBLIC PARK
RIPPED SEAT $23.59
DAMAGED TABLE $253.00
SIGN DAMAGE $350.61

DIRECTIONS:
USING THE PICTURE SHOWING THE COSTS FOR REPAIRS OR REPLACEMENTS OF VANDALIZED PROPERTY, COMPLETE THE PROBLEMS ON THE PAGE.

1. WHAT IS THE TOTAL COST FOR REPAIRS AT CENTRAL HIGH SCHOOL?
____

2. WHAT IS THE TOTAL COST OF REPAIRS TO THE SCHOOL BUS?
____

3. WHAT IS THE TOTAL COST OF REPAIRS IN THE PUBLIC PARK?
____

4. RANK THE COSTS IN THE PARK, AT THE SCHOOL, AND ON THE BUS, WITH #1 BEING THE MOST COSTLY.
   1. ____________
   2. ____________
   3. ____________

5. WHAT IS THE TOTAL COST DUE TO VANDALISM?

Handout 2

Handout 3

The Bare Facts--It's Not Just A Prank!

Name____Date__________________

Directions: Listen as your teacher gives the penalty for each offense. Write the punishment for each crime as it applies to adults.

Circle Felony or Misdemeanor--Write in the number of years or months.

1. Vandalism to place of worship

   Misdemeanor Felony

   Time:_____________

2. Vandalism to a mailbox.

   Misdemeanor Felony

   Time:_____________

3. Criminal trespass with damage to property of less than $500.

   Misdemeanor Felony

   Time:_____________

4. Criminal damage to property in the 2nd degree with a value of $500 or more.

   Misdemeanor Felony

   Time:_____________

5. Criminal damage to property in the 1st degree. Interference with property that endangers human life or obstructs public communication or utility.

   Misdemeanor Felony

   Time:_____________

6. Interference with government property.

   Misdemeanor Felony

   Time:_____________

7. Criminal trespass. Refusing to leave someone's land when told to do so.

   Misdemeanor Felony

   Time:_____________

8. Setting fire to woodlands. Discarding a lighted match in a field.

   Misdemeanor Felony

   Time:_____________

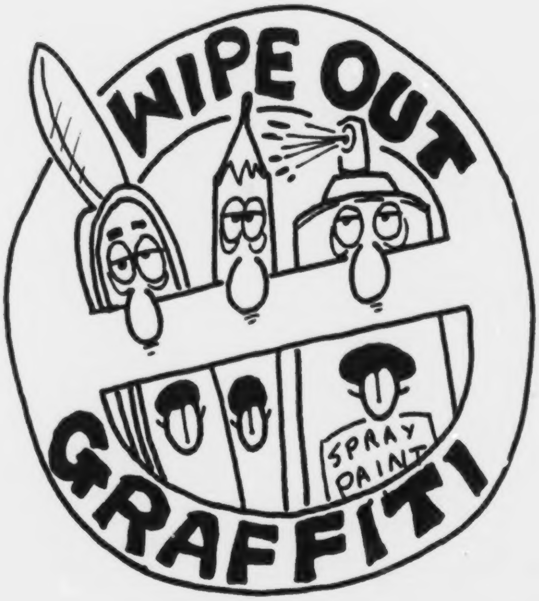
Fill out the Graffiti Patrol Pledge Card. Form a group that patrols the school to discourage graffiti.

Graffiti: Patrol Pledge Card

I promise to look out for graffiti writers and discourage their activities. I pledge to stay DPP (Defacing Public Property) FREE

Name___________________________________

Color and cut out the badge to wear when you go on patrol.



TO TELL THE TRUTH

Name____________________________________Date________________

Directions: Complete the worksheet. Answers should express your feelings about vandalism.

Vandalism is...

--

I think public parks are...

--

Parks should be...

--

Litter is...

--

Taxpayers...

--

When laws are broken...

--

Graffiti is...

--

I think peer pressure...

--

Broken windows and torn seats are...

--

People...

--

On the bus...

--

School walls...

--

I can't...

--

I can...

Attachment 1

GRAFFITI WRITING ROLE PLAYING CARDS

1. I am so in love with this boy named John. I just want everyone to know it. When I go to the restrooms at the mall and sometimes at school I write his name and mine on the wall. It doesn't hurt anybody, does it?

2. Sometimes I get so mad at my teacher for giving us all this work. I don't like some of the things our principal does either. So I write things in my school books. Who does it hurt? It helps me feel better.

3. My brother is a high school student. Sometimes on Friday night he and his friends spray paint bad words on the school or the water tower downtown. Sometimes I go and help. It doesn't hurt anybody and it can really be lots of fun.

WHEN CONFLICTS OCCUR, RESOLVE TO SOLVE

GRADE LEVEL: 4-5 **AUTHOR:** Debra Mooney

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Conflict; resolution; compromise; negotiation

MAIN IDEAS:

a. Conflicts can be resolved by peaceful, positive means.
b. The best solutions can be those in which each party wins.

QCC CORRELATION:

Content

4-19. Examines the role of a responsible citizen in the community and state

Skills

4-16. Chooses a solution to the problem after applying the evidence
4-23. Engages in discussion with others
5-12. Formulates possible alternatives or solutions to a problem

INSTRUCTIONAL STRATEGIES:

Discussing meaning of term "conflict"
Brainstorming examples of conflict and ways of resolving conflict
Guided and independent problem solving and decision making on conflicts

OBJECTIVES:

The learner will:
--identify conflict and ways of resolving it.
--explain and demonstrate a strategy for peacefully resolving conflicts.
--explain and demonstrate how to generate and evaluate possible solutions to a conflict problem.

TEACHER BACKGROUND:

There are many ways to deal with conflict: competing or fighting, avoiding, asking a third party, relying on "chance" (as in flipping a coin), and talking things out. Different ways are appropriate in different situations, but children benefit from practice in peaceable methods such as "talking things out."

Society offers a number of formal ways to solve disputes peaceably. Litigation, or the trial process, is one way. In litigation, each party presents its side of a case, asking a judge or jury to then make a decision. Disputes in the criminal law--in which the government says that one party committed a crime and the accused party denies that he or she did--are also decided in this manner. Most legal cases are resolved before they go to trial or are litigated. Parties in a civil case may negotiate. A prosecuting and defense attorney may "plea bargain."

Negotiation is the process of conferring with another person to resolve a problem. It may be competitive (as in market bargaining) or cooperative. Cooperative negotiations require defining the issue, setting out goals, identifying individual interests, determining strengths and weaknesses, seeking options, identifying and overcoming obstacles, formulating plans, and creating agreements. To negotiate well, the party should identify the other party's goals as well as his or her own. It is also important for a negotiator to communicate clearly, listen, and avoid threats.

Another formal way of resolving disputes is called arbitration. In arbitration, both parties agree to submit the dispute to a disinterested person, an arbitrator, who makes a final judgment. There is a hearing in which both sides present their cases and have opportunities to rebut statements of the other side. After the hearing, the arbitrator (or panel of arbitrators) makes a decision.

Because courts are overcrowded, arbitration is used more and more. Some courts require that the parties try to resolve their disputes through arbitration before litigating. Increasingly, specific laws provide for arbitration hearings for disputes that might arise under the law.

Another increasingly used, formal way of resolving disputes is mediation. In mediation, a third person intervenes between disputing parties to help them reach a solution themselves that is mutually agreeable. All mediations require identifying the problem, examining choices, generating options, and reaching a workable agreement. Mediation is frequently used (sometimes required) in divorce and child custody settlements.

The process in this lesson has some aspects of negotiation and mediation.

MATERIALS AND RESOURCES:

Handout

1. Conflict Resolution Worksheet

Attachment

1. Six Mother Goose Rhyme Conflict Cards (reproduce and cut out)

Overhead projector (optional)

PROCEDURES:

Period One

1. Write the word "conflict" on the board. Ask students what words come to their minds when they think of this word. (Possible responses may be fight, argue, dispute, etc.) Point out that conflict is the opposite of peace. Conflict is what happens when people do not agree. Disagreements are not always bad. They are a normal part of life; we need not feel guilty when we disagree with others. What is important when conflicts occur is how we deal with them. There are many ways to deal with conflicts or disagreements. Our aim is to resolve conflicts when they occur. When conflicts can be resolved peaceably, the resolution is more lasting, and both sides can be satisfied with the solution. In

this lesson we will study and practice one strategy that can be used to resolve conflict. We will learn that conflicts can be resolved in our everyday lives in such a way that both sides feel they are "winners."

2. Ask students to think of examples of conflicts that have occurred between two people at school or after school. List these on the chalkboard.

   (Examples: Two students argue over a pencil. Students disagree as to whose turn it is at the computer. Your brother wants to play a video game and you wish to watch TV. Students have a disagreement as to how much space they are entitled to have around their desks. You and your parents disagree about when you should be home.)

   Save at least six examples for use in the second part of this lesson.

3. Briefly discuss how conflicts are solved. List suggestions. They might include: arguing, fighting, leaving, seeking a decision-making authority, tossing a coin, talking things out.

   Summarize , pointing out that there are many ways to resolve conflict. Some work in some situations and not others. (For example, "leaving" or withdrawing may be best temporary solution if both parties are very angry.) We will learn about one procedure today.

   Introduce steps for solving conflicts using the word **PLEDGE**. Write "Pledge" on the board in this manner so it can be filled in as an acrostic:

   P
   L
   E
   D
   G
   E

   Fill in the "acrostic" by writing the underlined portion of the phrases that follow on the chalkboard. Discuss the meaning of each step as you write it.

   Problem (Identify the problem.)
   List possible solutions. (Brainstorm all solutions possible, but do not evaluate.)
   Evaluate the solutions. (Identify good solutions and poor ones.)
   Decide on the best solution.
   Generate ways to implement the solution. (How can this solution be carried out?)
   Evaluate how well the plan is working (used only in real situations).

   Review the meaning of each letter in the acrostic. Tell students that we should PLEDGE ourselves to resolve conflicts in a positive manner. Some resolutions make both parties feel that they have "won." These are called "win-win" solutions because both sides feel positive about the outcome. Would this kind of solution be longer lasting? (Yes.) Say that today we will use the "Pledge" plan to resolve conflicts. Our goal will be to implement this "win-win" solution when possible.

4. Introduce the word "Compromise." Review the meaning of compromise. It can be described as what occurs when each side in a dispute gives up something in order to agree on a solution. An example would be that of a brother and sister arguing over

ownership of a candy bar. A compromise would be to share the candy bar. Each side gives up half of the bar in order that both sides get something. This is also a win-win solution. Ask: "Are there times when we would not compromise?" (When we would be breaking the law or violating personal values.) Ask: "Can you think of an example when you would not compromise to solve a problem?" (Example - A friend asks you to help him steal a radio from a parked car.) Compromise sometimes works, but it is not always the best solution.

5. Recite the first part of this Mother Goose rhyme: Jack Sprat could eat no fat, His wife could eat no lean.

   Then read what follows. "Here is a part of the story you may have never heard: Jack is on a strict diet of no fat. This is a doctor's order for Jack. Even though the poem says his wife could eat no lean, the truth is, Jack's wife can eat fat or lean, but she likes only fat. Her cholesterol level is extremely high. Jack constantly nags her about her diet because one day she may have severe health problems. Jack's wife prepares meals with all fat. Jack and his wife cannot seem to agree on what to eat at meal time. This results in constant arguments."

   Distribute Conflict Resolution Worksheet (Handout 1), which poses the steps of PLEDGE. Ask students to use the "Jack Sprat" conflict example just given to answer each question on the worksheet and resolve the conflict. (Do this in a large group so that students will have adequate understanding before attempting the small group activity (procedure 6).

   Lead class through the handout:

   a. (1) What is the **Problem**? (Differences in diet)
      (2) Who are the people involved in the conflict? (Jack and his wife.)
      (3) What are the positions of each one? (Jack has to eat lean food. His wife likes and cooks fatty food.)

   b. **List** the possible solutions:
      Examples--
         Take Jack's wife to a doctor.
         Take Jack's wife to a nutrition class.
         Plan new menus that Jack's wife might accept.
         Prepare fatty and lean foods at each meal.
         Each cooks own meals.
         Hire a cook to cook meals for each.

   c. **Evaluate** each idea. Which ones are the best? Why? Which ideas seem to have some problem that might make them unworkable? Why? Which ones will be satisfactory to both sides? (If both sides won't agree, they are unlikely to work.) Students may need to generate some more suggestions or modify one or more of those made.

   d. **Decide** which idea is the best.

   e. **Generate** ways to implement idea. (For example if "Take Jack's wife to the doctor" is the chosen idea, what steps will Jack's family use to implement the idea? Possibilities: 1. Talk to the doctor. 2. Discuss with Jack's wife the need for doctor's care. 3. Take Jack's wife to the doctor on appointment day; etc.)

f. **Evaluate** how it is working. (Cannot do this step unless it is a real situation.) Make sure all students understand the steps of PLEDGE.

6. Divide the class into six groups. Give each group one "Mother Goose Rhyme Conflict Card" from Attachment 1 and a "Conflict Resolution Worksheet" (Handout 1). Have students read the "Conflict Card" and fill in the "Conflict Resolution Worksheet" as they discuss each conflict within the group. Each group should appoint a leader (to keep the discussion on target), recorder (to write down the information), and a reporter (who will report findings to the large group). Be sure students can identify the parties to the conflict before they begin.

   Comments on Conflict Card situations:

   1. The conflict is between Peter and his wife.
   2. The conflict is between the three kittens and their mother.
   3. The conflict is between Mary and her mother.
   4. The conflict is between Ben and his parents.
   5. The conflict is between Taffy and the narrator.
   6. The conflict is between the old woman and her children.

7. Ask the reporters from each group to present the conflict assigned to their groups and report on worksheet findings. Discuss results as needed. In discussing number 5, note that either one could have sought intervention by a police officer. Discuss what would have happened if the narrator had made a complaint, or if a police officer saw the fight.

Period Two

1. Review the PLEDGE Conflict Resolution model and the students' work on the Mother Goose Conflicts.

2. Review the list of real-life conflicts students shared at the beginning of the first day's lesson. Ask students to form the same groups as before, but choose a new leader, reporter, and recorder. Have groups choose a real life situation to discuss within the group. (Groups do not necessarily need to choose different situations. Two groups may choose the same situation. The important thing is to choose a situation that interests the group.) Give each group a new "Conflict Resolution Worksheet" (Handout 1). Groups should fill in the worksheet following the same procedure 6 used in Period One, procedure 6. Allow 10-15 minutes for group work.

3. Have the groups meet and follow procedure 7 given in Period One.

4. To review the lesson, list some of the "less positive" ways of resolving conflicts listed in procedure 3 of Period One (e.g., fighting, avoiding, or tossing a coin). Discuss what the results of some of these conflict-resolving methods would have been in either the nursery rhyme or real life conflicts. Would the results have been as fair? As long-lasting? Would they have been win-win?

   Then, ask students to tell when they feel the PLEDGE conflict resolution model should be used and why it is important. Ask: Are there other methods that would bring about a positive end? Encourage students to think of other positive means of resolving conflict. Use the Teacher Background to explain that there are a number of formal ways to resolve conflicts. Write them--negotiation, litigation, arbitration, and mediation--on the chalkboard and briefly explain. Ask: What could we do as a school to encourage positive resolutions when conflicts occur? List suggestions on board. (Use of mediators; seeking help of school counselor; discussion groups and class meetings; writing out plans instead of acting out first; etc.) Challenge students to use positive means of resolving conflicts in the future.

EVALUATION:

- Present students with the following situation. Ask students individually or in pairs to use the questions on the PLEDGE conflict resolution worksheet to resolve the problem. Check their work for understanding.

Situation: Little Miss Muffet
Sat on a Tuffet
Eating her curds and whey
Along came a spider
And sat down beside her
And frightened Miss Muffet away.

Note: The spider had no intention of scaring Miss Muffet. But it wanted to sit on the Tuffet (in fact, it regarded the Tuffet as its home).

ENRICHMENT:

- Using PLEDGE to resolve classroom conflicts as they arise can provide practice in and encourage student use of this conflict resolution method.

Handout 1

CONFLICT RESOLUTION WORKSHEET

(Using the steps of PLEDGE)

Group Members

_____________ _____________
_____________ _____________
_____________ _____________

Group_______________

Problem - What is the problem (conflict)?

____
____

List the two people (or animals) involved in the conflict.

(1) ________________________________
(2) ________________________________

What is the position of each side?______________________
____

List possible solutions to the conflict.

Brainstorm as many ideas as you can in 60 seconds.

______________________ ______________________
______________________ ______________________
______________________ ______________________

Evaluate the solutions. Look at the ideas listed in step L.

Put a * beside each good solution. Put an X beside each poor solution. Will the solution be satisfactory to both sides? Write "yes" or "no" to indicate this.

Decide on the best solution.

Look back at the list of "best" solutions. Put a circle around the best one.

Generate ways to implement the solution.

How can this solution be carried out? Write down details to explain your solution.

____
____
____

Evaluate how well the plan is working.

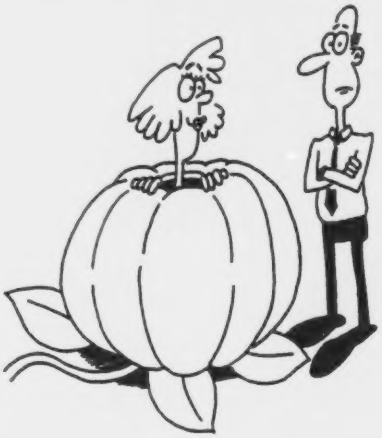
We will not complete this step because we do not have the information.

Attachment 1

MOTHER GOOSE RHYME CONFLICT CARDS

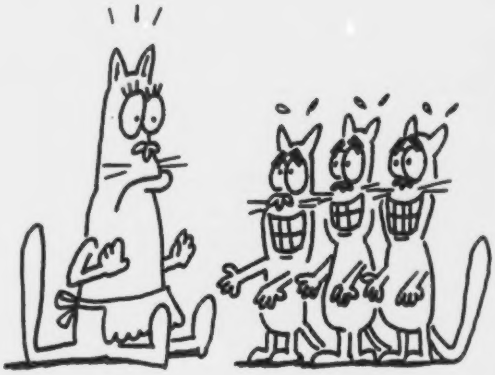
1. Peter, Peter pumpkin eater,
Had a wife and couldn't keep her.
He put her in a pumpkin shell
And there he kept her very well.

Note:
It seems that all Peter's wife
wanted to do was go shopping
She spent all of Peter's money.
Peter is a tightwad and wants
a large bank account.
Was Peter's solution the best?



2. Three little kittens, they lost
their mittens,
And they began to cry,
"Oh mother dear, we greatly
fear,
That we have lost our mittens."

"What! Lost your mittens, you
naughty kittens,
They you shall have no pie."
"Me-ow, me-ow, me-ow, me-ow,
Then you shall have no pie."

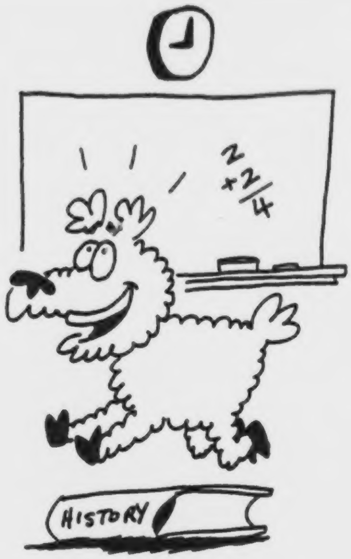


Note:
The three kittens are always
losing things. They "just want to
have fun" without worrying about
clothing.
Mother always sees to it that
they are properly dressed.
Is Mother's solution best?

3. Mary had a little lamb,
Its fleece was white as snow;
And everywhere that Mary went
The lamb was sure to go.

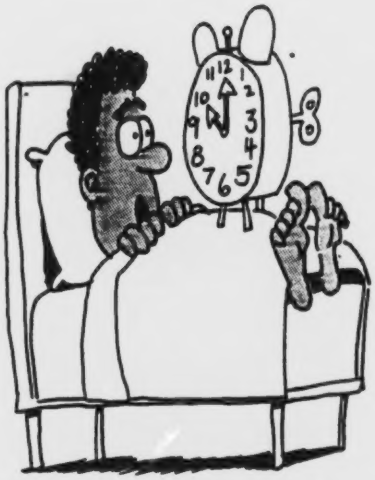
He followed her to school
one day,
Which was against the rules;
It made the children laugh
and play
To see a lamb at school.

Note:
Of course Mary got into trouble with her teacher for "bringing" the lamb. Mary's mother refused to keep the lamb at home while Mary attended school. What could Mary do?

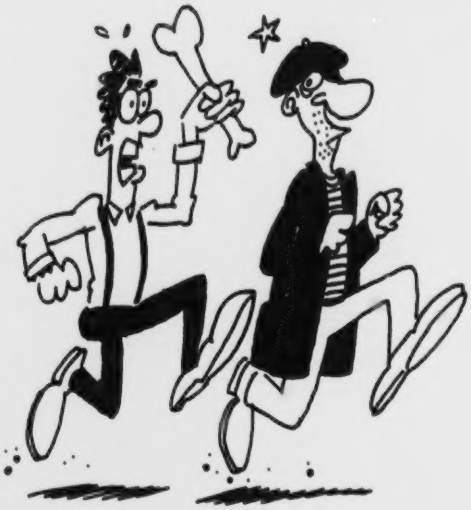


4. A diller, a dollar, a ten
o'clock scholar!
What makes you come so soon?
You used to come at ten o'clock,
But now you come at noon.

Note:
The scholar, Ben, is always late for school. Ben has to get up by himself because his parents leave for work early each morning. Ben's parents wake him before they leave and they feel this is enough. Ben complains because he often falls asleep again. Ben is always in trouble with the teacher because she must rewrite the attendance slip each day. What is the solution?

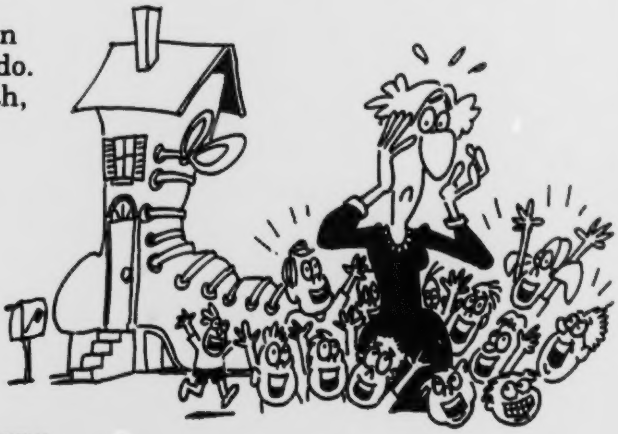


5. Taffy was a Welshman,
Taffy was a thief;
Taffy came to my house
and stole a piece of beef.
I went to Taffy's house,
Taffy was not home;
Taffy came to my house
and stole a marrow-bone.
I went to Taffy's house,
Taffy was in bed;
I took up the marrow-bone
and beat him on the head.



Note:
What will stop this conflict? Will "outside" forces be necessary? Might some solution other than "beating on the head" have worked?

6. There was an old woman
who lived in a shoe.
She had so many children
she didn't know what to do.
She gave them some broth,
without any bread,
She whipped them all
soundly and sent them
to bed.



Note:
The children all had different afternoon schedules including dance, karate, piano lessons. Mother was running in many directions. At night the children had homework and needed help. Mother couldn't seem to get to them all. What can mother and the children do to make life easier for all?

LET'S CELEBRATE OUR BILL OF RIGHTS

GRADE LEVEL: 4-5 **AUTHOR:** Debra Mooney and Ann Blum

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Amendment; ratify; responsibility; rights; laws; freedom

MAIN IDEAS:

a. The first ten amendments to the Constitution of the United States, the Bill of Rights, give individual rights to the citizens of our country.
b. All rights are accompanied by responsibilities.

QCC CORRELATION:

Content

4-18. Recognizes the role and importance of the government of our state
4-19. Examines the role of a responsible citizen in the community and state
5-13. Examines the events which led to the Constitutional Convention at Philadelphia in 1787
5-14. Identifies the structure of government as described in the Constitution that evolved to deal with basic political issues in the United States

Skills

4-11. Suggests alternative solutions when given a problem
4-16. Chooses a solution to the probblem after applying the evidence
4-22. Gives reasons for advocated position
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society
5-25. Formulates an defends position on an issue

INSTRUCTIONAL STRATEGIES:

Simulation for determining rights and rules
Cooperative teaching of Bill of Rights
Answering questions on Bill of Rights
Decision-making game on Bill of Rights
Identifying responsibilities that accompany rights
Debating classroom rights

OBJECTIVES:

The learner will:
--formulate rules and rights for an expedition simulation.
--demonstrate an understanding of the provisions of the Bill of Rights.
--explain how rights carry responsibilities.

TEACHER BACKGROUND:

Citizens in the United States are fortunate to have inherited a Bill of Rights that asserts many of their freedoms. The rights contained in the Bill of Rights must be understood--and appreciated--if they are to be protected from gradual erosion due to government policies instituted to address perceived social problems.

Here at the 200th anniversary of the ratification of the Bill of Rights, surveys clearly show that many Americans lack a basic understanding of their rights and the responsibilities these rights entail. Many Americans don't know that the first ten amendments to the U.S. Constitution are the Bill of Rights. Many more can't identify the basic rights guaranteed by these ten amendments. But most importantly, surveys continue to show that large majorities of Americans are willing to give up their rights or take rights away from others in order to achieve a "quick fix" to perceived social ills (e.g., mandatory AIDS testing, mandatory drug testing, gun control, abortion, school prayer, etc.).

Of course balancing the rights of the individual with the needs of society is difficult political/governmental business. Our best hope for the thoughtful resolution of such socio-political issues lies in a well educated citizenry. That education must include both a knowledge and appreciation of our Bill of Rights.

A copy of the U.S.Constitution and its amendments is included in the Appendix.

MATERIALS AND RESOURCES:

Handouts

1. About the Appalachian Trail Expedition
2. Know Your Rights!
3. Should You Have the Right?

Attachments

1. Interpreting the Bill of Rights (copy and cut into amendment strips)
2. Appalachian Trail Game Board
3. Appalachian Trail Game Cards

Copies of the Bill of Rights (the Bill of Rights is reproduced in the Appendix of the supplement binder); spinners or dice; markers for game; overhead projector and transparencies (optional)

PROCEDURES:

Period One

1. Ask the students how many have been on a camping or hiking trip. Tell them that today they will be taking an imaginary expedition along the Appalachian Trail. Provide them with copies of Handout l.

   Then assign hiking teams. Divide students randomly into groups of no more than four by passing out slips of paper with name of group assigned. Title groups by names of American animals, e.g., eagle, raccoon, butterfly, bear, snake, moutain lion, puma, squirrel, wolf, etc.

2. When the students are organized into groups, ask each group to prepare for the expedition by making three lists:

   a. What they will need to take with them? (This will be helpful in responses for other questions.)

   b. What should be the rules for the groups? (A purpose for the rules and rights is given in the handout sheet.) An example of a rule might be "No one is allowed to pass the expedition leaders without permission."

   c. What should be the rights of the groups? (These are actions that each member of the group is free or permitted to do.) Examples of rights might be "Expedition members can talk or sing whenever they like unless there has been a call for silence." "Expedition members can each bring one friend." "Expedition members can take as many photos as they like."

   Point out that they will be quite isolated on the trail, so they will need to prepare their lists carefully.

2. Have each group appoint a reporter and a recorder. The recorder should write down all of the group's suggestions for (1) what they should take, (2) rules, and (3) rights. Allow groups enough time (15 to 20 minutes) to complete the lists.

3. When students have completed lists, allow each reporter to read the suggestions for what should be taken on the expedition to the whole class. Discuss this very briefly, as other topics are more important to the lesson.

   Then have reporters give the rules the groups recommended for the expedition. List each different "rule" on the chalkboard or an overhead transparency. Ask students to choose ten rules to apply to the whole expedition. Remind them that the rules should conform to the expedition purposes given in Handout 1. Selection should involve considerable discussion. If problems arise, have each student vote for five rules. Then check off the ten rules receiving the most votes.

   Have students prepare a sheet titled "Appalachian Trail Expedition Rules" and copy the agreed-upon ten rules.

   Repeat the procedure used with "rules" for selecting ten "rights." When ten rights have been agreed upon, have students copy these on sheet titled "Appalachian Trail Expedition Rights."

4. Summarize the lesson so far by telling the students that the "rules" represent laws. Just as they have provided laws for their expedition, so we have laws for our country. Ask: What is the supreme law of our land? (The Constitution of the United States.) Discuss what the Constitution does. (In brief, it provides a framework for our government and laws. It sets forth who shall make, enforce, and interpret laws and sets guidelines for the kind of laws that can be made. Its preamble gives a purpose for the Constitution and our laws.)

   Point out that they have made rules and rights for their expedition without a Constitution. They did, however, have a purpose for their rules just as the Constitution has a preamble. Ask: If they had a body for the Constitution what might it have said.

(Rules for expedition will be made by all participants. They will be agreed upon by consensus.)

Remind them that they have also provided rights or freedoms for the expedition. These are to allow the individuals of the expedition to have freedoms necessary to keep content and independent even though they are a part of the group. So, we also have rights as citizens of our country. Explain that tomorrow the class will examine our federal Bill of Rights.

Period Two

1. Provide students with copies of the Bill of Rights (provided in the Appendix of the supplement binder). Give them some information about the Bill of Rights, such as the following:

   Nine states had to approve the Constitution before it would become the law of the land. Many states would not do this unless the Constitution listed individual rights for its citizens. The Constitution provided a way for it to be changed. These changes are called amendments. Congressman James Madison presented a list of twelve amendments to Congress. These were rewritten in committees, and of the twelve, ten amendments were approved by the House of Representatives and the Senate. Our Bill of Rights is the first ten amendments to the Constitution. It was ratified or approved by Congress on December 15, 1791.

2. Duplicate enough copies of Attachment 1, Interpreting the Bill of Rights, so that each student can have two different amendment strips cut from the attachment.

   Divide students into groups of five. Ask each group member to "teach" (read and explain) his/her assigned amendments to the group.

   Tell students that the strips of paper give the amendments in words and phrases that will be easier to understand. Also, comments have been added to increase understanding of the amendment.

   The exercise will be complete when groups have learned about all the amendments.

3. Give students an uncut copy of the Bill of Rights. Distribute copies of Handout 2, Know Your Rights. Have students complete the handout, using the Bill of Rights to check responses. Discuss.

4. Examine the "rights" students set for their Appalachian Trail Expedition. Compare these to the Bill of Rights. Are any of the rights for expedition similar? After studying the Bill of Rights, do students think any of the expedition rights should be changed? How?

5. Play the Appalachian Trail Game (Attachments 2 and 3) to reinforce knowledge of the Bill of Rights. Duplicate copies (number would depend on students playing each game) of the Appalachian Trail game board. Duplicate cards for the game and cut apart. Provide one die or spinner for each group. Provide a game marker for each player.

Period Three

1. Discuss the fact that rights carry responsibilities. Review the rights that students prepared for the Appalachian trail expedition and identify the responsibility(s) that each right requires.

2. To illustrate that rights carry responsibilities, have class gather in their expedition groups. Distribute a copy of Handout 3, Should You Have the Right?, to each group. Set up the following situation: Explain that several suggestions for amendments to the classroom constitution have been previously made. As a class, they must decide whether to make these "new freedoms" amendments to their constitution or whether to reject the suggestions. They must realize that with rights also comes responsibilities. For example, if your parents gave you the right to stay up as late as you wish on a school night, and you decide to stay up until 2 a.m., you face the possibility of being teased for nodding off to sleep in class or possibly failing an important test.

   Have students discuss the the proposed amendments in their groups and complete the handout.

3. Reconvene the class to debate informally several of the proposed amendments. Use the following procedure:

   Choose one of the proposed amendments on the Handout for the first informal debate. Ask for student volunteers from each side of the issue. Choose one who favors the greater rights and one who would reject them, avoiding the responsibility they entail.

   Explain the following debate rules:

   1. Toss a coin to determine which debater goes first.
   2. Each student has two minutes to present his/her position on the issue.
   3. Following these presentations, each student has 60 seconds to rebut the arguments of the other.
   4. At end of given time, call for class vote on the amendment.

   Allow class discussion, if desired, after the vote.

   Repeat the procedure for each amendment to be debated.

4. To conclude, remind students of how rights and responsiblities are connected. Point out that many times we feel that we have all rules and no rights. Ask class to think of some of the rights they have as students. List these on board. Compare these with rights given us in Bill of Rights.

   Discuss: What responsibilities do we have as free citizens? What specific responsibilities are given us in the Bill of Rights? (To use speech and press responsibly; to support our beliefs in peaceful ways; to bear arms responsibly; etc.) What general responsibilities to we have as free citizens? (To vote, to be informed and good citizens, to obey the laws of our country, etc.)

EVALUATION:

- Use the handout worksheets. Also, check for understanding as students share ideas in small groups.

- Have each student write a short paragraph on which amendment is most important to them. Students could share these with class.

ENRICHMENT:

- Have students examine copies of the Georgia Bill of Rights (a copy is provided in the Appendix) and compare the rights given there with those of the federal Bill of Rights.

- Approve one of the amendments voted on by students in Period Three as an "Amendment of the Day." After the "day," discuss its effects with class and whether it should be continued. Did students meet the responsibilities entailed?

- Invite an attorney to discuss the Bill of Rights with students.

ANSWER KEYS

Answer Key (Know Your Rights!)

1. 4th
2. a. Freedom to worship
   b. Freedom of speech
   c. Freedom of press
   d. Freedom to meet in peaceful groups
   e. Freedom to ask the government to change laws you think are not fair.
3. no
4. yes
5. 6th
6. Jury
7. The government may not act to keep you from saying what you wish unless your speech is likely to harm others.
8. Being forced to put up soldiers in our homes during peacetime.
9. Life, Liberty and Property
10. peaceful

Answer Key (Game Cards)

1. Amendment 1
2. Yes
3. Amendment 6
4. No
5. Amendment 4
6. No
7. Amendment 1
8. Amendment 6
9. Amendment 9, right to travel among states
10. Amendment 8
11. Amendment 1
12. Amendment 5
13. Amendment 9
14. Amendment 1
15. Amendment 1
16. Amendment 5
17. Amendment 10

ABOUT THE APPALACHIAN TRAIL EXPEDITION

You are part of an all-day hiking expedition in the North Georgia Mountains. You are going to hike along trails, including part of the Appalachian Trail. The expedition has been divided into several groups.

The expedition will begin about 8 a.m. from the parking lot where the bus will drop you off. The bus will meet you about 4 p.m. at another point on the trail. You will carry with you food for a morning snack, lunch, and an afternoon snack, none of which require cooking. Your task will be to identify as many of the animals, flowers, and trees that you encounter as you can. It is spring and it is fairly cool, about 50° Fahrenheit when you begin. There is a chance of rain.

Rules and rights established for the expedition should be made to maintain peace and order and to ensure the health, safety, and enjoyment of all participants.

THE APPALACHIAN TRAIL

The Appalachian Trail goes from Mt. Springer in North Georgia to Mt. Katahdin in Maine. The trail is over 2,000 miles long and few people actually hike the entire trail. One young man sold his car, most of his possessions and quit his job to hike the entire trail. He was back home with his family within a week with blisters, swollen feet and a tired body. Most hikers hike only a portion of the trail, as we plan to do. They enjoy the splendid beauty of the mountain views, lowground wilderness areas and the wildlife. Portions of the footpath were created by trail clubs, some by pioneers, and others by early Indians.

Handout 2

KNOW YOUR RIGHTS!

1. Which amendment protects you from unreasonable government searches?______________

2. What freedoms are given to you in the First Amendment?

   a.____

   b.____

   c.____

   d.____

   e.____

3. Must you testify against yourself?______________________

4. Do you have a limited right to keep and bear arms?_________________

5. Which amendment gives you the right to have a lawyer help you when accused of a serious crime?_____________________

6. Amendment 6 gives persons accused of a serious crime the right to a trial by ____________________.

7. Explain what "freedom of speech" means.

   ____

   ____

8. Amendment 3 protects citizens from what?_________________________

   ____

9. What three things may not be taken from you without fair proceedings according to Amendment 5?
   1.____
   2.____
   3.____

10. Amendment 1 gives the freedom to meet in ______________groups.

Handout 3

SHOULD YOU HAVE THE RIGHT?

Proposed Amendment	Arguments in favor of accepting amendment	Arguments to reject the amendment	What would be the added responsibility for the student?	After careful consideration would you vote to reject or accept the proposed amendment?
1. All written assignments may be headed as the student wishes.				
2. Food (snacks & drinks) may be eaten throughout the school day.				
3. There will be no dress code for students.				
4. Homework will not be given.				
5. Students may go to the restroom without asking permission.				

Attachment 1

INTERPRETING THE BILL OF RIGHTS

Amendment 1

Congress may not make laws that limit:

a. freedom to worship as you wish
   1. People may choose whichever religion they wish.
   2. The government may not give support to any one religion.
   3. Government and religious activities should be separate.

b. freedom of speech
   (The government may not act to keep you from saying what you wish. But there are some limitations.)
   Examples: You cannot yell "fire" in a theater if there is no fire. This endangers the lives of others. Nor are you free to spread or write lies about another.

c. freedom of press
   The government may not keep the media (newspapers, TV, etc.) from publishing or broadcasting information, even if it criticizes the government. There are some limits such as if information would endanger national security.

d. freedom to meet in peaceful groups

e. freedom to ask the government to change laws you think are not fair. For example--by signing a petition

---

Amendment 2

People have the right to keep and bear arms (weapons). This right is associated in the amendment with the state's right to maintain a state militia.

Amendment 3

Citizens may not be forced to put up soldiers in their homes during peacetime.

Amendment 4

People or their homes may not be searched by the government without *probable cause*.

Amendment 5

The government may not:

- a. Try someone twice for the same crime.
- b. Accuse a person of a serious crime (felony) without a grand jury hearing.
- c. Force people to testify against themselves.
- d. Take the life, liberty, or property from a person without fair proceedings.
- e. Take property from people without their being justly paid for it.

Amendment 6

A Person accused of a serious crime:

- a. Has the right to a "speedy and public trial".
- b. Must be told what they're accused of.
- c. Has the right to a lawyer to help them.
- d. Has the right to confront persons who accuse him of the crime.

Amendment 7

Persons in some civil (non-criminal) cases, depending on the amount of money involved, have a right to a trial by jury.

Amendment 8

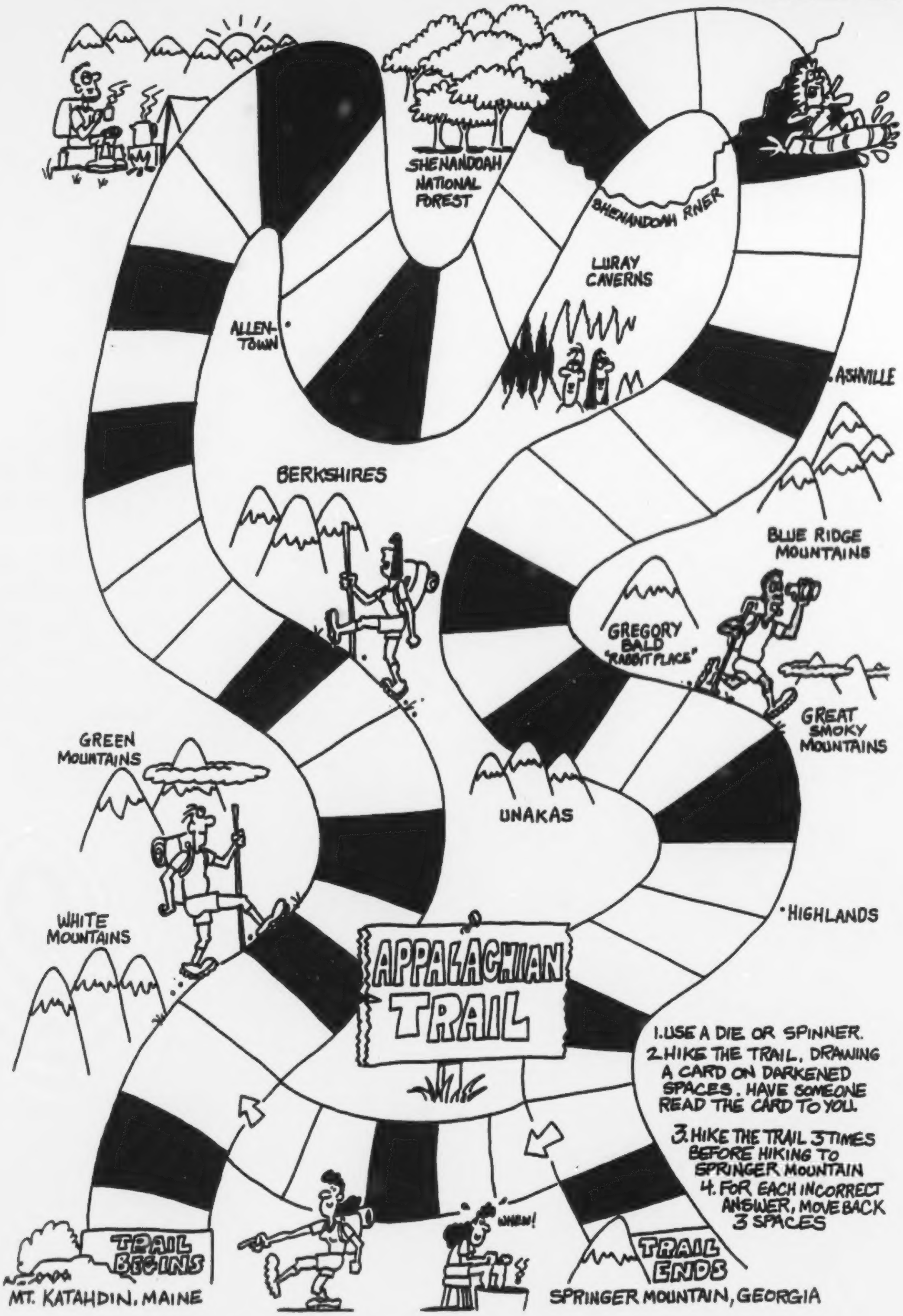
Courts cannot set "excessive bail," "excessive fines," and/or "cruel and unusual punishment."

Amendment 9

Many rights or liberties that were not mentioned remain with the people. (Examples are the right to get married, to have as many children as you choose, to choose a career, to own property, to travel among states, etc.,)

Amendment 10
If a right is not given to the federal government or denied to the states, then it is the right of the state or the people.

Attachment 2


SHENANDOAH NATIONAL FOREST
SHENANDOAH RIVER
LURAY CAVERNS
ALLENTOWN
ASHVILLE
BERKSHIRES
BLUE RIDGE MOUNTAINS
GREGORY BALD "RABBIT PLACE"
GREAT SMOKY MOUNTAINS
GREEN MOUNTAINS
UNAKAS
HIGHLANDS
WHITE MOUNTAINS
APPALACHIAN TRAIL
WHEW!
TRAIL BEGINS
MT. KATAHDIN, MAINE
TRAIL ENDS
SPRINGER MOUNTAIN, GEORGIA

1. USE A DIE OR SPINNER.
2. HIKE THE TRAIL, DRAWING A CARD ON DARKENED SPACES. HAVE SOMEONE READ THE CARD TO YOU.
3. HIKE THE TRAIL 3 TIMES BEFORE HIKING TO SPRINGER MOUNTAIN
4. FOR EACH INCORRECT ANSWER, MOVE BACK 3 SPACES

Attachment 3

GAME CARDS

Directions for Game Cards - Duplicate and cut apart as needed.

1. On Sunday, some hikers leave the trail to worship in a church of their faith. What amendment allows you to do this?

2. While on the hiking trail, you refuse to put up soldiers in your home while you're away. (Hint: It is peacetime.) Can you do this?

3. A hiker is arrested for stealing another camper's sleeping bag. He demands to see his lawyer. What amendment provides this protection?

4. You scream "fire" into another tent just to see campers scramble out. Does the 1st Amendment protect you?

5. The U.S. Park Ranger demands that you allow him to search your backpack without a warrant or any reason. You refuse. What amendment protects you?

6. Another hiking party sets off firecrackers in the middle of the night outside your tent. Are they protected by the 1st Amendment?

7. You send an editorial to a newspaper in North Carolina critcizing the National Park Service and the government. You are upset by certain dangers you think need correcting along the trail. Which amendment gives you this right?

8. A robbery is committed on the trail in Pennsylvania. A traveling companion of yours is arrested, but not told why. He demands to know why he is being arrested. Which amendment protects him?

9. The hikers cross from North Carolina to Virginia. There are no guards at the state line to delay their entry. What amendment allows this freedom?

10. A hiker is arrested for destroying wildlife along the trail. He must be fed regularly and treated fairly while in jail. What amendment protects one from cruel and unusual punishment?

11. You organize a group called the "Appalachian Trail Hikers Club" to ensure governments care for the trail properly. Which amendment gives you this right?

12. A federal ranger demands you give up all of your possessions before you start off the trail. The ranger has no good reasons. You refuse. Which amendment protects your property?

13. After your experience on the trail, you decide to get the education you need to become a park ranger. Which amendment gives you the right to choose your own career?

14. At an overnight station in Virginia you express your views of the President of the U.S. to a fellow camper. Which amendment protects your right to criticize the president?

15. You sign a petition requesting financial assistance from the federal government to help save certain wildflowers that face extinction. What amendment provides this right?

[illegible] You are arrested for killing [illegible] in the Great Smoky Mountains. You are innocent and refuse to testify against yourself. Which amendment insures you of this protection?

17. A couple on the trail are married on Springer Mountain in Georgia. They are married by Georgia laws. Which amendment gives Georgia this right?

YOU CAN'T DO THAT! I HAVE A RIGHT!

GRADE LEVEL: 4-5 **AUTHOR:** Emmett Mullins

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Bill of Rights; rights; constitution

MAIN IDEAS:

a. The Constitution of the United States contains a Bill of Rights that protects the rights of citizens.

QCC CORRELATION:

Content

5-13. Identifies events which led to the Constitutional Convention at Philadelphia in 1787
5-14. Identifies the structure of government as described in the Constitution that evolved to deal with the basic political issues in the United States

Skills

5-1. Locates main ideas in multiple sources (i.e. government publications)
5-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Teacher-directed questioning
Discussing citizens' rights
Interpreting historical documents
Illustrating the meaning of a constitutional right

OBJECTIVES:

The learner will:
--analyze the amendments in the Bill of Rights.
--apply constitutional rights to a given situation.

TEACHER BACKGROUND:

Refer to the Appendix for a copy of the U.S. Constitution and the Bill of Rights.

Some of the provisions of the Bill of Rights are relatively straightforward and clear, others more complex. Notes for discussing the Bill of Rights follow.

The Bill of Rights could be called a Bill of Protections, because its provisions protect us from the power of the government. For example, some people think that "freedom of speech" gives us a license to say whatever we want, whenever we want to, no matter what the consequences. It doesn't. Nor does it mean that parents can't regulate speech in their own homes. What our right to freedom of speech basically means is that the government can't take this freedom from us.

However, these constitutional rights are not absolute. That means they can be limited by the government. The courts have allowed the government to limit these rights only if they have a very good reason. For example, the government can restrain speech if it would create a "clear and present danger"--like yelling fire in a theater. Similarly, it can restrain speech that would disrupt a government activity, like public education. Likewise, the government can restrain a religious practice that would harm a child.

Amendment 1: The speech protected is not just the spoken or written word. The right to read, hear, or distribute speech is also protected. "Symbolic speech" is also protected. Art, e.g., paintings and music, is symbolic speech. Actions such as wearing an armband or carrying a poster are symbolic speech.

Telling, writing, or publishing harmful lies about other people is not protected speech.

The freedom to associate has been derived from the freedom to assemble. This means we can join political organizations, even if they oppose government actions.

There are two aspects to freedom of religion. One is the right to believe what you want. That is an absolute freedom. However, religious practices may be limited if they are harmful. The second aspect is separation of church and state. It keeps the government from acting to establish any religion.

Amendment 2: The right to bear arms is historically tied in with the state militia. It is not an absolute right and can be limited.

Amendment 4: Like most of these terms, the word "search" is broadly used. A test for drugs is a search. This amendment is a major basis of our right to privacy of our persons and homes, in our family lives, in records, etc. In effect, the protections of this amendment have been eroded and more and more warrantless searches are allowed.

Amendment 5: "Due process" often refers to all of the procedural steps in this and the sixth amendments. Basically, it means the government cannot take away life, liberty, or property without a good reason and that to do so there must be a fair process, which usually means notice and a hearing.

Amendment 6: The right to confront witnesses includes the right to cross-examine them.

Amendment 7: This amendment refers to civil law proceedings; right to jury trial dependent on the amount involved and basis for appeal.

These rights originally just applied to the federal government. The 14th amendment extended them to the states.

MATERIALS AND RESOURCES:

Attachment

1. Rights in America (to be cut into strips).

Copies of the Bill of Rights taken from the Appendix (one per pair of students, minimum); blank paper; marker or crayons

PROCEDURES:

Period One

Prior to the lesson, duplicate Attachment 1 (Rights in America). Cut into strips for use during class. An additional copy may be cut up if larger classes are involved (some students will receive the same right).

1. Ask students what is meant by the term "right" as in, "I have the right to ..." Discuss students' interpretations. Probe to see if the students can explain where their rights come from. Guide students to a definition similar to this: a right is something provided a person by law, tradition, or nature. Give the example of one student taking another student's pencil. Ask whose rights have been violated. What right? In this case, it would be the right to keep one's property.

3. Distribute copies of the Bill of Rights. Tell students that this document contains rights that are to be protected for all Americans. Explain that the Bill of Rights is a part of the Constitution and is actually the first ten amendments to that document. It was ratified, or accepted as law in the United States, in 1791. Read through the first ten amendments so that students get an idea of the content of the Bill of Rights.

4. Distribute the strips cut from Attachment 1, giving one to each child. Ask each student to match the rights on his/her strip to the correct amendment and to give an explanation of its meaning.

5. Share the results of the students' matching, clarify any misconceptions the students might have.

Period Two

1. Ask the students to think of situations in which one of the constitutional rights in the Bill of Rights might be violated. Share and discuss their examples.

2. Discuss why these rights must be protected if Americans are to retain their freedoms.

3. Distribute drawing paper and markers or crayons. Assign students to illustrate their amendment right strips showing a situation in which a person's rights are being challenged or violated. The person should be standing up for these rights. Students may use a cartoon strip format or include a brief caption to explain their illustration.

4. Close by having students share and discuss their illustrations. Display the illustrations prominently. (This activity could be extended to examine other amendments to the Constitution as well.)

EVALUATION:

- Examination of the students' art work and analysis of students' comments during discussion may serve as sources of evaluation of the lesson. Students could also write a paragraph in which they describe a situation in which a particular right or rights were not guaranteed by a Constitution.

ENRICHMENT:

- Divide the class into groups representing the different rights we have as citizens of the United States. Have each group make a large collage representing its citizenship right.

- Invite people who have become naturalized citizens to come in and talk to the students about the rights we have as U.S. citizens.

Attachment 1

RIGHTS IN AMERICA

Persons do not have to give evidence against themselves in a court.

Americans have freedom of religion.

Accused persons have the right to question witnesses.

Persons have the right to a speedy trial.

During peacetime, Americans do not have to feed and shelter soldiers.

The government cannot take a citizen's property without fair payment.

Americans have freedom of speech.

Accused persons have a right to call persons to testify in court.

A person's house may not be searched or items taken, unless a judge issues a warrant based on probable cause.

Persons guilty of crimes may not have cruel or unusual punishments given them.

Americans have freedom of the press.

Persons have the right to a public trial.

A person cannot be tried twice for the same crime.

People have a right to a fair trial before punishment.

Americans have the right to gather peacefully.

Persons accused of crimes have the right to an attorney.

Persons may own and possess weapons.

Excessive bails may not be required of accused persons.

Americans have the right to protest government policies.

Accused persons have a right to know the charges brought against them.

GIVE US YOUR TIRED, YOUR POOR...REALLY?

GRADE LEVEL: 4-5 **AUTHOR:** Emmett Mullins

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Immigration; citizen; naturalization; alien

MAIN IDEAS:

a. The United States has accepted immigrants from all over the world.
b. Since the 1800s, however, restrictions have been placed on the number of immigrants allowed.

QCC CORRELATION:

Content

5-19. Describes the major factors involving immigration that led to a stronger nation

Skills

5-7. Develops and interprets charts, tables, timelines, graphs, diagrams and other graphic aids
5-10. Formulates questions related to regions and cultures
5-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Questioning regarding immigration
Discussion of the quota system
Simulation of immigrant entrance difficulties

OBJECTIVES:

The learner will:
--define immigration, citizen, alien, naturalization.
--explain the process of immigration as handled on Ellis Island in the 1920s.
--evaluate laws that established a quota system for immigrants.

TEACHER BACKGROUND:

Between 1798 and 1875 there were no laws restricting immigration into the United States. Increasing resentment toward certain groups, primarily Irish Catholic immigrants, encouraged the creation of such restrictive laws. In 1875, Congress barred the immigration of criminals and prostitutes. In 1882, the Chinese Exclusion Acts were passed by Congress to forbid the immigration of Chinese laborers. In the later 1800's, felons, those convicted of crimes, aliens who had come to America illegally, and those with contagious diseases were barred from immigration.

By 1907, the feeble-minded, children without parents, any Japanese, and those unable to work due to disability, or those who had tuberculosis were added to the list of the excluded. The Immigration Act of 1917 forbade the entrance of alcoholics, stowaways, vagrants, those with a history of insanity, and anyone over the age of 16 who could not pass an English literacy test. After World War I most Asians were forbidden entry and a quota system was implemented which heavily favored Northern and Western Europeans.

The Immigration Quotas Act of 1924 limited the quota of immigrants who would be admitted to 2 percent of any nationality residing in the United States in 1910. This act, in effect until 1952, is the basis for quotas used in this lesson.

In 1952, the federal government passed the Immigration and Nationality Act. This has been heavily amended, but is still the basic law in this area. Important provisions included:

--eliminating race as a bar to immigration.
--eliminating discrimination between sexes in immigration.
--introducing a system of preferences. (A quota preference was given to skilled aliens whose services were urgently needed in the United States.)

Subsequent legislation has:

--abolished the national origins quota system (June 30, 1968).
--retained the preference system. (Categories, besides needed skilled workers, include relatives of U.S. citizens, permanent resident aliens, and refugees.)
--set a limit on immigrants to be admitted per year.

MATERIALS AND RESOURCES:

Handout

1. Immigration officer's letter

Attachment

1. Visas (one per student)

Transparency Master

1. The Naturalization Process

Milk; cookies; cups; napkins; overhead projector

PROCEDURES:

1. Ask students to brainstorm what it means to be a citizen. Categorize responses according to rights (vote, protection, etc.) and responsibilities (volunteer work, honesty, etc.).

2. Explain that millions of people have come to the United States seeking citizenship so that they might enjoy the rights of Americans. These people are called immigrants. Explain that the United States has received immigrants from all over the world, but

since the late 1800s, it has restricted the numbers of people it will accept from each country. Tell the students they will undergo a simulation of entering the United States in 1920 as immigrants.

3. Read the following aloud:

   The year is 1920. You are an immigrant from the continent of Europe. After traveling for many days in the bottom deck of a steam ship, you are about to disembark to Ellis Island, New York. You have one small trunk of possessions from home and little money. Although you are excited about your arrival in this new land, you are also nervous. You have left everything behind to come to America. Why? And why have all of these other people done the same thing?

4. Ask students to speculate as to why people came to America. List these reasons on the board. Reasons might be freedom to worship, and/or desire to own land, make more money, live a better quality of life, etc. Explain to students how the legal protections of citizens in America have attracted many immigrants.

5. Now begin the simulation. Assign two students to be immigration officers. Give them their letter to study (Handout 1) while you distribute visas (Handout 2) randomly to the remainder of the students and organize them in a line to be processed by the immigration officers. Immigrants allowed in should go to the table of milk and cookies (set up prior to class and representing the "good life" in America). The others must go back to their own desks, representing the bowels of the steamship from which they came.

6. The immigration officers should begin processing and consulting each other as each immigrant approaches. The immigration officers must make a decision about the desirability of the immigrant and either allow in or refuse the immigrant.

7. After all immigrants have been processed (and cookies eaten and milk drunk by the new arrivals to America), a discussion should begin on why some students were allowed in while others were not. The letters for the immigration officers might be read so that all would know the conditions under which the officers worked. This system was a quota system. It allowed the restriction of certain peoples into the country based on their geographic and ethnic origin. Questions for discussion are:

   --Was the quota system fair?
   --What was the purpose of the quota system?
   --What requirements should immigrants meet?
   --Was there evidence of prejudice in the quota system?
   --What groups are immigrants today?
   --Does the quota system still exist? Is the current system fair?

8. Explain that after entering the United States, immigrants who want to become citizens must be naturalized. Until they become citizens, they are classified legally as aliens.

   The law currently requires a certain procedure be followed to become a citizen. Show the transparency, The Naturalization Process. Ask students questions to guide them through the diagram such as:

   1. What is the first step an immigrant must follow in order to become a citizen?

2. After being fingerprinted and completing biographic information, what must the immigrant do?
3. Who examines the immigrant and who must accompany the immigrant?
4. What four main things must an immigrant prove to the officer? Why would these be important?
5. Who makes the final decision about the immigrant's application for citizenship?
6. What is the final step for the immigrant who is granted U.S. citizenship?
7. About how long does it take an immigrant to complete the citizenship process?
8. Once naturalized, a person has the same rights and privileges as any other citizen, EXCEPT for the right to be President or Vice-President of the United States. Ask students why they think the Constitution does not allow immigrants to hold these positions.
9. Summarize by having students define the terms immigrant, naturalization and citizen.

EVALUATION:

- Assign students to write a response to simulation. This response should be in the form of a letter from the "immigrant" students to a relative back home. The letter should include details of the process of immigration and personal feelings about the quota system used. The terms citizen, immigration, alien, and naturalization should be used in the context of the letter.

- Ask students to formulate five questions that would be appropriate to ask an immigrant of the time in order to get the immigrant's perspective of the quota system.

ENRICHMENT:

- Invite several recent immigrants to visit the class and discuss their experiences coming to the United States. Ask them what they like best about this country and what they wish we would change about the immigration policies of our country.

- Investigate how contemporary immigration issues are treated in newspapers and magazines. Compare these with similar articles of 30 or 40 years ago.

Handout 1

UNITED STATES OF AMERICA

DEPARTMENT OF LABOR*

IMMIGRATION AND NATURALIZATION SERVICE

PORT OF NEW YORK/ELLIS ISLAND, NEW YORK

May 20, 1921

To: Immigration Officers
Port of New York/Ellis Island Office

Today's immigrant quota is as follows:

Ireland	3
Germany	3
Czechoslovakia/Yugoslavia	2
England	10
Italy	2

Please keep in mind that the following immigrants are "preferred status:"

- Whites
- Protestants
- Healthy people
- Skilled people
- Literate people

These quotas must be strictly enforced.

Your Boss,

Uncle Sam

*In 1940 this service moved to the Dept. of Justice.

Attachment 1

VISA/GERMANY

Age: 5
Unskilled
Illiterate
Good Health
Male
Protestant

VISA/GERMANY

Age: 30
Skilled
Literate
Healthy
Male
Protestant

VISA/IRELAND

Age: 20
Skilled
Literate
Healthy
Male
Catholic

VISA/YUGOSLAVIA

Age: 91
Skilled
Literate
Healthy
Female
Protestant

VISA/IRELAND

Age: 68
Skilled
Literate
Unhealthy
Male
Protestant

VISA/ITALY

Age: 33
Skilled
Literate
Healthy
Female
Catholic

VISA/GERMANY

Age: 13
Unskilled
Literate
Unhealthy
Female
Catholic

VISA/IRELAND

Age: 14
Unskilled
Illiterate
Healthy
Female
Catholic

VISA/GERMANY

Age: 48
Skilled
Illiterate
Healthy
Female
Catholic

VISA/ENGLAND

Age: 14
Skilled
Literate
Healthy
Female
Protestant

VISA/GERMANY

Age: 29
Skilled
Literate
Healthy
Male
Protestant

VISA/GERMANY

Age: 72
Unskilled
Illiterate
Unhealthy
Female
Catholic

Attachment 1 ctd.

VISA/GERMANY

Age: 23
Skilled
Literate
Unhealthy
Male
Catholic

VISA/ENGLAND

Age: 60
Skilled
Literate
Unhealthy-Typhoid
Male
Catholic

VISA/ITALY

Age: 16
Unskilled
Literate
Healthy
Male
Jewish

VISA/ITALY

Age: 35
Skilled
Literate
Unhealthy-Typhoid
Male
Catholic

VISA/IRELAND

Age: 99
Unskilled
Illiterate
Unhealthy
Female
Catholic

VISA/ITALY

Age: 25
Skilled
Literate
Healthy
Female
Jewish

VISA/CZECHOSLOVAKIA

Age: 5
Unskilled
Illiterate
Healthy
Female
Jewish

VISA/YUGOSLAVIA

Age: 53
Skilled
Literate
Healthy
Male
Protestant

VISA/ITALY

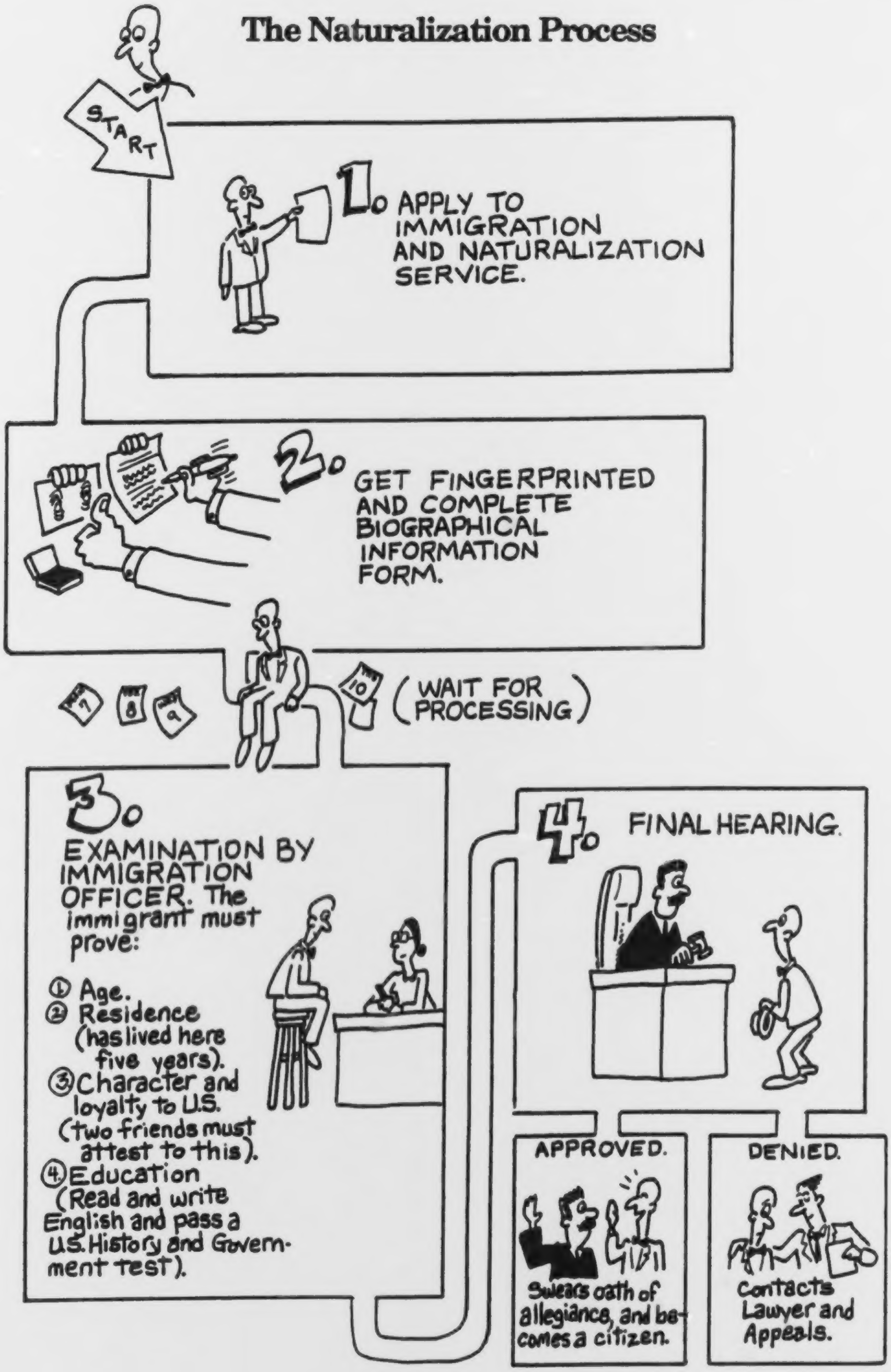
Age: 8
Unskilled
Illiterate
Healthy
Female
Catholic

VISA/CZECHOSLOVAKIA

Age: 10
Unskilled
Literate
Healthy
Male
Catholic

Transparency 1

The Naturalization Process


START
1. APPLY TO IMMIGRATION AND NATURALIZATION SERVICE.
2. GET FINGERPRINTED AND COMPLETE BIOGRAPHICAL INFORMATION FORM.
7
8
9
10
(WAIT FOR PROCESSING)
3. EXAMINATION BY IMMIGRATION OFFICER. The immigrant must prove:
① Age.
② Residence (has lived here five years).
③ Character and loyalty to U.S. (two friends must attest to this).
④ Education (Read and write English and pass a U.S. History and Government test).
4. FINAL HEARING.
APPROVED.
Swears oath of allegiance, and becomes a citizen.
DENIED.
Contacts Lawyer and Appeals.

DO YOU KNOW...THE LAW?

GRADE LEVEL: 4-5 **AUTHOR:** Emmett Mullins

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Misdemeanor; felony; unruly act; status offense; delinquent act

MAIN IDEAS:

a. There are laws governing every aspect of life.
b. Breaking the law results in consequences that range from mild to severe.

QCC CORRELATION:

Content

5-28. Explores the values of the United States through the cultural expressions of art, music, literature, etc.

Skills

5-10. Formulates questions related to regions and cultures
5-16. Works within a group, following set rules of procedure, to complete an assigned task

INSTRUCTIONAL STRATEGIES:

Playing game about laws related to juveniles
Teacher-directed questioning regarding the purposes of law
Discussing laws relating to juveniles

OBJECTIVES:

The learner will:
--recall in writing at least five laws related to "pranks," drugs and alcohol, minors, theft, and animals.
--write a paragraph stating the reason for a selected law and why it may or may not be considered fair.

TEACHER BACKGROUND:

Terms:

A delinquent act is one committed by a juvenile that would be a crime if committed by an adult.

A status offense is an act that is illegal only when committed by a juvenile. It is also called an unruly act. Examples are running away from home and truancy.

A misdemeanor is a crime less serious than a felony. Misdemeanors carry a maximum penalty of one year in jail and/or a $1,000 fine. Examples are speeding and theft of under $500.

Felonies are punishable by sentences of one year or more. Examples are murder, rape, kidnapping, and armed robbery.

Specific Laws:

Fireworks: Georgia law (O.C.G.A. 25-10-4 - 25-10-8) states that in order to have a fireworks display, you must obtain a permit from the judge of the probate court in the county in which the display is to be held. The display must be conducted by a competent operator, be covered by liability insurance, not be hazardous to persons or property, and must be accompanied by a $10,000 bond in case of damages. It is illegal to buy or sell fireworks in the state except under these provisions. Any fireworks manufactured, offered for sale, exposed for sale, or stored illegally may be seized and destroyed.

Alcoholic beverages: Georgia law (O.C.G.A. 3-3-23) states that no person should knowingly sell or furnish alcoholic beverages to anyone under 21 years of age. Further, no person under 21 shall purchase or knowingly possess any alcoholic beverages or misrepresent their age or identity to obtain alcoholic beverages illegally.

Shoplifting and Theft: Georgia law (O.C.G.A. 16-8-14) states that shoplifting includes concealing and taking merchandise from a store or retail establishment, altering or switching price tags on merchandise, transferring merchandise from one container to another, or wrongfully causing the amount paid to be less than the stated merchandise price. Shoplifting is a misdemeanor on first offense as long as the object of theft is worth $100 or less. Other kinds of theft (O.C.G.A. 16-8-1 to 8) include theft by taking, theft by deception, theft by conversion, and theft by receiving property in another state.

Burglary: Georgia law (O.C.G.A. 16-7-1) states that a person commits the offense of burglary when, without authority and with the intent to commit a felony or theft therein, he enters or remains within the dwelling house of another or any building, vehicle, railroad car, watercraft, or other such structure.

MATERIALS AND RESOURCES:

Transparency Master

1. DO YOU KNOW...THE LAW? (game board)

Attachment

1. Answers, Questions, and Notes

Transparency marker; overhead projector

PROCEDURES:

1. Tell students that in this lesson they will play a game about laws in the state of Georgia. Ask students what purposes laws serve in our society. Discuss responses and then ask for some examples of laws the students are familiar with and why they might have been enacted.

2. Explain that in this game, students will be trying to form a question in response to an answer, similar to the game "Jeopardy." Divide the class into teams of four to five

students each. Appoint one student in each group as leader. This person will be responsible for raising his or her hand when the group is ready to respond.

3. Place the game board transparency on the overhead project so that all may see. Describe the categories as "Pranks," "Drugs and Alcohol," "Minors," "Theft," and Animals." Pick a student to begin the game. This student will choose one of the 25 boxes, and the teacher will read the corresponding "answer" from Attachment 1. If a group of students wishes to respond, the leader must raise his or her hand, and the teacher will call on the group which responds first. If their question is correct, the teacher will award the number of points indicated in the box to the group. If incorrect, another group may take a turn. The group finally winning the points will be allowed to choose the box in the next round. The teacher should cross out each box as it is selected. If no group can provide a correct question, the teacher reads the question, no points are given, and the last team to answer correctly chooses the next box.

4. To make the game more instructional, pause after each question for a discussion of the law mentioned. Ask students for their views on the purpose of the law and if it seems fair to them. This interaction and questioning will serve to pique their interest in law and may serve as a beginning of law study.

5. When the game is over, the winning team is the one with the most points.

6. The lesson may close with a further discussion of any areas of law that were of special interest. Explain that there are thousands of laws on record, and they have now seen but a few. Challenge students to find examples of more laws which affect their daily lives.

EVALUATION:

- Evaluate students by asking them to: (1) list five laws that were covered in the game, and (2) write a paragraph that describes the purpose of a particular law and states why it might or might not be fair.

ENRICHMENT:

- Students or small groups of students may be assigned additional topics to research to develop answers and questions for further game play.

Transparency 1

DO YOU KNOW...THE LAW?

PRANKS	DRUGS	MINORS	THEFT	ANIMALS
100	100	100	100	100
200	200	200	200	200
300	300	300	300	300
400	400	400	400	400
500	500	500	500	500

**************************SCORES**************************

Attachment 1

ANSWERS, QUESTIONS, AND NOTES

COLUMN ONE--PRANKS

100: These explosives are illegal for use except by professionals, even on the fourth of July.

What are fireworks? Georgia law prohibits the use of fireworks by anyone except licensed professionals.

200: "Rolling" a yard or "egging" a house as well as breaking out street lights, are examples of this crime.

What is vandalism? Hundred of millions of dollars a year are spent to clean up the work of these wrongdoers.

300: Damaging this letter-holding device can lead to a misdemeanor charge.

What is a mailbox? Vandalism to a mailbox is a misdemeanor and is punishable by up to 12 months in jail. It is an offense under state and federal laws.

400: Damaging these houses of worship is a felony offense.

What are churches? Vandalism of places of worship is a felony. (1-5 years)

500: Use of this communication device to repeatedly harass or annoy someone is a misdemeanor.

What are telephones? "Prank" phone calls are illegal and punishable as misdemeanors.

COLUMN TWO--DRUGS AND ALCOHOL (Drugs are defined here as those substances on Georgia's Scheduled Substances List.)

100: Possession of these, even a very small amount, by anyone is illegal.

What are drugs? Even a few grains of powder, seeds, stems, etc., in one's possession is a crime.

200: For a minor, any amount of this intoxicating liquid in the body is illegal.

What is alcohol? The presence of alcohol in the body is circumstantial evidence of possession.

300: A field test of sobriety may be given by a police officer to determine if a person may use this transportation device.

What is a motor vehicle? Officers may give a field test to determine if a person is a less safe driver due to alcohol consumption.

400: It is the legal drinking age in the state of Georgia.

What is 21? Citizens of 21 years old and older have the right to purchase and be in possession of alcoholic beverages.

500: Minors may not enter these drinking establishments without a parent or guardian.

What are bars? Such actions by minors can be considered acts of an "unruly child" and may be dealt with in juvenile court.

COLUMN THREE--MINORS (Minors are defined as youths under the age of 18.)

100: While under the age of 16, children must attend these institutions of learning.

What are schools? Failure to comply can result in penalties for children and parents.

200: Minors are required to follow the reasonable, lawful instructions of these people.

Who are parents (guardians or custodians)? Obeying parents does not include committing acts that are unreasonable or unlawful (e.g., holding up a convenience store).

300: Minors are not allowed to desert these places of living.

What is a home? Running away from home is illegal for children under 18 and can contribute to a child being termed legally "unruly."

400: These people are not allowed to wander or loiter in the streets of any city or in public places or highways without a parent between the hours of 12 midnight and 5:00 a.m.

What are minors? The law described is a curfew. Because it is applied to children and not adults, violating it is a status offense.

500: This is a juvenile who has committed a crime.

What is a delinquent? A delinquent act is a violation of criminal law by a juvenile 16 years old or younger.

COLUMN FOUR–THEFT

100: It is theft of merchandise from a store by a "customer."

What is shoplifting? To take something from a shop without paying for it.

200: Changing the price tag on an item in a store is an example of this crime.

What is shoplifting? This form of stealing is done by people in all walks of life, not only the poor.

300: To take possession of something without permission, even if just "Borrowing".

What is theft (stealing)? This is theft even if the item is later returned unharmed.

400: Entering a place unlawfully with the intent to commit a theft or other felony is the essence of this crime.

What is burglary? Unlawful entry means without permission of the owner. It does not matter if the place was unlocked.

500: This person helps plan a crime, but does not actually commit it.

What is a party to a crime? This person is just as guilty as the person who committed the crime in the eyes of the law. One does not have to actually enter a house, car, etc., to be guilty of a crime.

COLUMN FIVE--ANIMALS

100: They must be registered and wear a numbered tag that shows they have been inoculated.

What are dogs? Georgia law requires all dogs to be registered as being inoculated against rabies.

200: A person can be fined $5,000 and get 1-5 years in prison for making a sport or game from fights between these four-legged animals.

What are dogs? Dogfights are considered cruelty to animals.

300: These people are responsible for damages caused by a vicious or dangerous animals.

Who are owners? Owners are liable for damages caused to others, or their property, by vicious or dangerous animals.

400: It is a misdemeanor to act, or fail to act, in a way which causes suffering, unjustifiable physical pain, or death to any of these creatures.

What are animals? This law does not apply to animals raised for the purpose of providing food or to any person who hunts under the provisions of the game and fish laws of the state. Also, killing or injuring an animal for humane purposes or in the furtherance of medical or scientific research is considered justifiable.

500: This sport involving fights of farm birds is prohibited by Georgia's cruelty to animals laws.

What is cockfighting? Cockfighting is illegal according to the cruelty to animals provisions of Georgia law.

WE THE STUDENTS: WRITING A CLASS BILL OF RIGHTS

GRADE LEVEL: 4-5 **AUTHOR:** Emmett Mullins

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Rules; Constitution; Bill of Rights; Preamble

MAIN IDEAS:

a. The United States Constitution is a written document that defines the structure of government and guarantees certain rights of citizens.
b. The Bill of Rights is the portion of the Constitution specifically addressing the rights of citizens.

QCC CORRELATION:

Content

5-13. Identifies events which led to the Constitutional Convention at Philadelphia in 1787
5-14. Identifies the structure of government as described in the Constitution that evolved to deal with basic political issues in the United States

Skills

5-1. Locates main ideas in multiple sources
5-17. Demonstrates through classroom activities the necessity for rules in an ordered society
5-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Teacher directed questioning regarding rights
Using documents as a resource
Creating an original class Preamble and Bill of Rights

OBJECTIVES:

The learner will:
--explain the need for rules in a social group.
--write a Preamble and Bill of Rights for class Constitution.
--explain the role of a Constitution in a society.
--explain the importance of individual rights.

TEACHER BACKGROUND:

Refer to Appendix for copies of the Georgia Bill of Rights and the U.S. Constitution, including Bill of Rights.

MATERIALS AND RESOURCES:

Handout

1. We The Students...

Transparency Masters

1. Preamble to United States Constitution
2. Preamble to the Georgia State Constitution

Poster board; a copy of the Constitution of the United States with the Bill of Rights

PROCEDURES:

Period One

1. Ask the students for suggestions as to why classroom rules are necessary. Allow for responses and put them on a chalkboard. Ask for speculation as to what the class would be like without rules and discuss responses.

2. Ask the students how the government makes sure people and property are kept safe and protected. Explain that laws are made to protect people and their property. Tell students that in the United States a Constitution exists which is a framework from which all other laws are made. Every law is not in the Constitution. However, no law may go against the Constitution, and every law is related in some way to the Constitution.

3. Show Transparency 1, "The Preamble to the Constitution of the United States." Ask students to locate the purposes of the Constitution and list these on a chalkboard. Now show Transparency 2, "The Preamble to the Constitution of the State of Georgia." Locate the purposes of the Georgia Constitution and put these on the chalkboard as well. Ask students to identify similarities and differences between the two Preambles.

4. Examine a copy of the United States Constitution and guide students through its major parts. Ask:

   -who gave the power, or authority, for this document?
   (THE PEOPLE)
   -for what purpose was the document written?
   (TO ESTABLISH A PLAN FOR LIMITED GOVERNMENT.)
   -for whom were rights to be protected?
   (ALL CITIZENS)

5. Tell students that they will be writing a class Bill of Rights with a preamble. Using students' previously recorded responses, ask the students to write a preamble for their classroom Bill of Rights similar to the U.S. or Georgia's Constitutions. After a few minutes, have students read their responses. Taking portions from many students, work to create a preamble that the group finds acceptable, and put this on the chalkboard.

One fifth grade came up with this Class Preamble for a Bill of Rights:

> **We the students of Mr. Mullins's class,**
> **Cedar Hill Elementary School, in order**
> **to form a more perfect class will abide**
> **by these amendments to keep the students**
> **and school safe, to learn more, and be**
> **better educated. Signed August 1988.**

Period Two

1. With class, examine the first ten amendments to the Constitution. Ask students why they think this section is called the Bill of Rights. (Students should know that Georgia's Constitution also has a Bill of Rights.) Ask such questions as:

    --why are these rights guaranteed?
    --why is it important that rights be written down?
    --who is limited by these rights? (government)
    --what rights should students have in a classroom?

2. Now work on creating a set of rights for the class to follow. Tell the students they are to create the class rights. Begin by having students (individually or in groups) write rights that they would consider appropriate as the teacher in the class. These rules should fit in with the goals of the preamble.

3. Allow students to suggest rights for the class from their lists. Also, tell students that they will need to modify and combine these rights because there can be no more than five. These five rights should be written in positive language, using first person, present tense. As students give their suggested rights, try to organize the responses into categories so that revision becomes easier. It is very important that the students suggest the statements and the revisions if they are to assume ownership of the final product.

    A class Bill of Rights might resemble the following.

    Amendment 1: I have the right to an orderly, respectful learning environment.

    Amendment 2: I have the right to security of my property.

    Amendment 3: I have the right to an honest atmosphere in which to work and play.

    Amendment 4: I have the right to a safe school in which school rules are followed.

    These students came up with broad statements that did not burden them with a list of things forbidden, yet it did what documents such as this should do. It provided them with a "legal" framework to guide their behaviors.

4. When all revisions have finally been made, copy the preamble and bill of rights onto poster board and have each member of the class sign it.

5. Discuss what the penalties should be for violating the rights of others. Consider, are any rules needed to protect these rights? Discuss student suggestions.

6. Conclude the lesson by asking students the purpose of a Constitution in a society, and the importance of individual rights. Orally recite the new class "Constitution." Be sure to post the document in a conspicuous place.

EVALUATION:

- Ask students to complete Handout 1, "We the Students...".

ENRICHMENT:

- Class could generate any rules needed to protect or enforce their classroom rights. This could be done in small group brainstorming sessions, followed by a general class session in which consensus on rules is achieved.

PREAMBLE TO THE UNITED STATES CONSTITUTION

We the people of the United States, in order to form a more perfect union, establish justice and insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty, for ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

PREAMBLE TO THE GEORGIA STATE CONSTITUTION

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen and of the family, and transmit to posterity the enjoyment of liberty, we the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution.

Handout 1

WE THE STUDENTS...

Read the scenario and answer the questions.

Ms. Fairweather is a brand new teacher at Startup Elementary located in Dreamland, Georgia. This is the first time Ms. Fairweather has been in charge of a classroom full of children and some problems have began to show up. Here is a list of the problems:

1. Too much talking
2. Children out of their seats during seatwork
3. Assignments not being carefully completed
4. Damaged textbooks
5. Too many fights and arguments

1. What rights of students are being violated by these problems?

____

____

2. Write two rules needed to protect these rights.

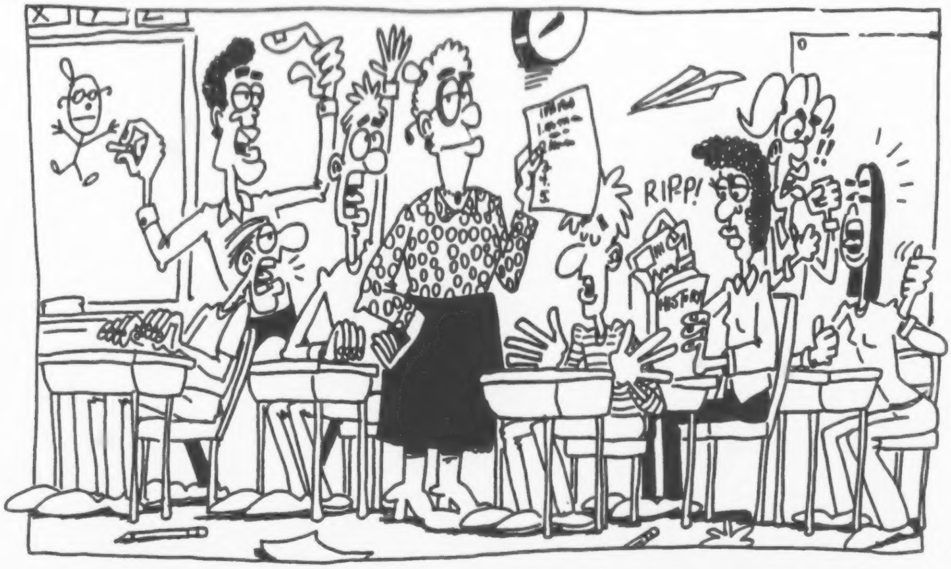
RULE 1 ____

RULE 2____

3. Would you advise Ms. Fairweather to write, with her class, a classroom Constitution?________ Yes________ No

Why?____

____



CHILD LABOR LAWS

GRADE LEVEL: 4-5 **AUTHOR:** Toni Wilkerson

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Employment; jobs; chores; industrial revolution; minor; child labor laws

MAIN IDEAS:

a. Until protected by laws of this century, children often worked long hours away from home in unsafe jobs.
b. Current laws on child labor protect minors by limiting hours and types of employment.

QCC CORRELATION:

Content

4-12. Determines that ways of living change over time and explains ways these changes occur (past and present)
4-18. Recognizes the role and importance of the government of our state

Skills

4-8. Analyzes information from two or more sources for agreements, contradictions, facts and opinions
5-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Oral reading and interpretation of child labor conditions
Constructing and comparing of graphs of time use
Writing a diary of a child laborer and a want ad
Constructing a timeline of child labor laws
Discussing child labor laws

OBJECTIVES:

The learner will:
--construct a timeline of the history of child labor laws.
--illustrate the difficulties of life for children without child labor laws.
--describe laws that affect the employment of minors in Georgia.

TEACHER BACKGROUND:

Listed below are examples of what working conditions were like for children of the Industrial Revolution.

The coal is hard, and accidents to the hands, such as cut, broken or crushed fingers are common. Sometimes there is a worse accident: a terrified shriek is heard, and a boy is mangled and torn in the machinery or disappears in the chute to be picked out smothered and dead. (From a description in Spargo, John, The Bitter Cry of Children, New York: Macmillan, 1906.)

A report of a convention of New England mechanics and working men held in Boston in 1832 estimated that the children employed in manufactories constituted about 2/5ths of the total number of workers. (Faulkner, Harold D., American Economic History, New York: Harper & Row, Publishers, 1960, p. 298.)

It is a well-known fact, that the principal part of the help in cotton factories consists of boys and girls, we may safely say from six to seventeen years of age, and are confined to steady employment during the longest days of the year, from daylight until dark, allowing, at the outside, one hour and a half per day (for meals)...and that too with a small sum, ... hardly sufficient to support nature... for we are confident that not more than one-sixth of the boys and girls employed in such factories are capable of reading or writing their own name. (From a report on children in Philadelphia factories, August 21, 1830 in the Mechanics Free Press. John R. Commons (ed.), History of Labor in the United States, New York: MacMillan, 1918, Vol. 1 p. 59,61-62.)

At the turn of the century in many large towns like Chicago, Illinois, working conditions were poor. Pay was low for the work day that was usually 10-16 hours long. Women and children often had to work in sweatshops. These shops, found in the run-down tenement buildings surrounding business districts, were known for bad lighting, poor plumbing, and lack of fresh air. Working there was very dangerous and difficult. Often girls aged 10-15 years worked in clothing sweatshops. For $.50 a week they sewed on buttons or pulled out threads. If they were good at these jobs, they sometimes moved up to sewing articles by hand (earning $2-$2.50 a week, the pay of older women). Boys age 10-15 years often had jobs as messengers or errand runners. Boys and girls were also used in the packing industry (meat) and worked long hours for as little as $.45 per week. (Drewry, Henry. America Is. London: Merrill Publishing Company, 1987, p. 275-277.)

MATERIALS AND RESOURCES:

Handouts

1. Get the Time Right
2. Graphing Effects of Laws on Child Labor
3. Georgia Work Laws for Minors
4. In Georgia Can You Legally Work At...?

Transparency Master

1. Help Wanted 1900

Overhead projector; newspaper classified sections; a long strip of paper for constructing a timeline; a copy of the book or movie Oliver Twist (optional)

PROCEDURES:

Period One

1. Ask the students what is meant by work? Labor? Chores? List on the board chores that they might do around the house. Write the word "employment" or "jobs " on the board. Ask if they are different from chores. Lead students to distinguish between chores and jobs or employment.

2. Tell students that during the Industrial Revolution or growth of manufacturing (1750 - 1930s), young children had jobs just like adults. To illustrate what it was like, read from Oliver Twist or show sections of movie version. Or read selections to children from the Teacher Background material.

3. Write the following information on the board about a day in the life of a child working in 1900.

   Typical day--1900
   2 hours--household chores
   2 hours--meals
   6 hours--rest
   15 hours--at job

   Ask: What is wrong here? What is missing? (school, play)

   Have the children put this information into a chart or graph. (If a computer is available, students can construct their graphs using MECC program GRAPHS.)

4. Ask students to chart the hours of their days, and construct a graph to compare with the day of the child in 1900. Speculate on why the changes may have come about. (Work laws for minors, compulsory education, concern about minors' well being, changes in families.)

5. Ask students to pretend that they are children working during the Industrial Revolution and write a diary entry for one day or more. They could illustrate their diaries. They should express their feelings about working long and hard in factories.

Period Two

1. Using the facts in Handout 1, have students, working in groups of two or three, construct a timeline of events and laws pertaining to child labor.

   Correct order of paragraphs is : (1) C, (2) H, (3) A, (4) K, (5) N, (6) D, (7) O, (8) J, (9) F, (10) M, (11) B, (12) I, (13) E, (14) G, (15) L, (16) G.

   Direct them first to determine the date of each item, so it can be arranged in chronological order. If necessary, illustrate a timeline on the chalkboard, showing dates first and then brief descriptions of event.

   Option: The computer program Timeliner could be used to construct a timeline of the history of laws related to child labor. If used, ask students to project into the future and predict the year 2000.

2. Discuss the timelines. Questions might include: What effect would compulsory school laws have on child labor? Why in the early 1900s was there so much opposition to child labor laws? (Parents wanted income; manufacturers wanted cheap labor; unions were principle proponents.) Why is/isn't the 1990 "training wage" a good idea? Should children be able to work while in school at all? (It is not a practice in many countries.) What is the situation now regarding child labor? (A 1989 report of the federal General Accounting Office reported a rise in violations of child labor laws from 9,000 in 1983 to 22,500 in 1989. Most were violations of time; some of age; others of hazardous jobs. Worldwide, many young children still work on family farms or otherwise. In 1970s, the International Labor Office set the number of children working at 52 million, 42 million on family farms.)

3. Distribute Handout 2, "Graphing the Effects of Laws on Child Labor." Have students use the facts to put the information onto the line graph.

   Then discuss: Why did school enrollment drop so drastically from 1820 to 1840? (Industrial revolution; children worked in factories).
   Why did enrollment begin to rise in 1830? (Refer students to information on their timelines. They should note that child labor laws were enacted.)
   Will enrollment be up or down in 1850 or 1860? (Enrollment continued to go up due to reform pressures.)

Period Three

1. Distribute Handout 3, "Georgia Child Labor Laws", and review current Georgia laws applicable to minors.

2. Display the simulated advertisements on Transparency Master 1 (or copy them onto posters). Explain that signs like these were often posted on fences or buildings in 1800s and early 1900s. Ask students who could apply for these jobs today.

3. Distribute pages of the "Help Wanted" section of newspaper. Ask students to identify jobs that they would not be legally eligible for if they were under 14? under 16? under 18? They should be able to explain what aspect of the job would make it illegal for minors.

4. Using the classified ads as a model, ask the students to pretend that they are employers and write their own want ads for children between ages of 14 and 16. Have them check to be sure the ads would allow for legal employment.

EVALUATION:

- Use work created in class, i.e., diaries of child working in industrial revolution, timelines, graphs, and want ad for evaluative purposes.

- Distribute Handout 4, "Can you legally work at...?" Correct answers are: (1) yes; (2) no; (3) no; (4) yes (on a farm, in a home, etc.); (6) yes; (7) yes; (8) no; (9) yes; (10) no.

ENRICHMENT:

- Assign students research on child labor and laws of past and current centuries. This could be communicated in reports and/or information added to timelines.

- Assign students to do research on current statistics on child labor in the U.S. and other countries.

GET THE TIME RIGHT

Put these facts about laws related to child labor during past centuries into chronological order. Number the paragraphs.

__ A. In 1819 British law extended 1802 law to cover all children.

__ B. President Taft, in 1912, established the Children's Bureau to look into the health, education, and working conditions of children.

__ C. Industrial Revolution (late 1700s). In the United States and Great Britain, children were hired to work in manufacturing because they worked for lower wages than adults, and were not so likely as adults to cause trouble. Small, nimble fingers could tend machines that should have been run by adults using adult strength. These children often worked to support low income or unemployed parents and worked in dirty, poorly lighted factories, mills, and mines. These children were often deprived of going to school, remained uneducated and unskilled, therefore could not better themselves.

__ D. Constitutional amendment to regulate child labor passed Congress in 1924, but did not receive approval of 3/4ths of the states.

__ E. In 1990 Congress provided for a six-months training wage for those under 18 years old. This was to encourage jobs.

__ F. Germany passed a national child labor law in 1839.

__ G. Members of the World Summit for Children meeting in New York City at the United Nations in 1990 pledged to protect the world's children and to try to better their lives by the year 2000.

__ H. The Keating Owen Act, in 1916 was the first federal law limiting child labor to pass Congress. It limited child labor to eight hours a day. Standards of the law: A 16-year minimum age for work in mines and quarries, a 14 year minimum age for other types of work, an 8-hour day, and a 48-hour week. No night work for children under 16. THIS LAW WAS DECLARED UNCONSTITUTIONAL. Note that children had always worked on farms. Therefore, it was not considered wrong for them to work in factories or mines.

__ I. In 1836, Massachusetts passed the first state child labor law. Children under 15 could not be hired to work in a factory unless they had attended school for at least three months during the preceding year.

__ J. The Fair Labor Standards Act of 1938 set basic standards for the employment of minors. Under this act, boys and girls 16 years and over could be employed in any occupations except those declared hazardous by the U.S. Secretary of Labor. The age for hazardous occupations was set at 18. Children 14 and 15 years old were permitted to work in only a limited number of occupations outside of school hours. Employers had to pay child laborers the U.S. minimum wage. This law took over 50,000 children who were under 16 years old out of work.

__ K. Britain passed its first law regulating child labor in 1802, but did not really enforce it until 1833. Pauper children (children dependent on charity) under the age of 9 could not work in cotton mills . Pauper children under 14 could not work at night and could only work 12 hours a day.

__ L. In 1915, 33 states had compulsory school attendance up to age 16.

__ M. In the textile industry, 40 percent of the factory workers in New England were between ages 7-16 in 1832.

__ N. Seven states have compulsory school attendance in 1900. (1.7 million children under age 16 work in factories and mines.)

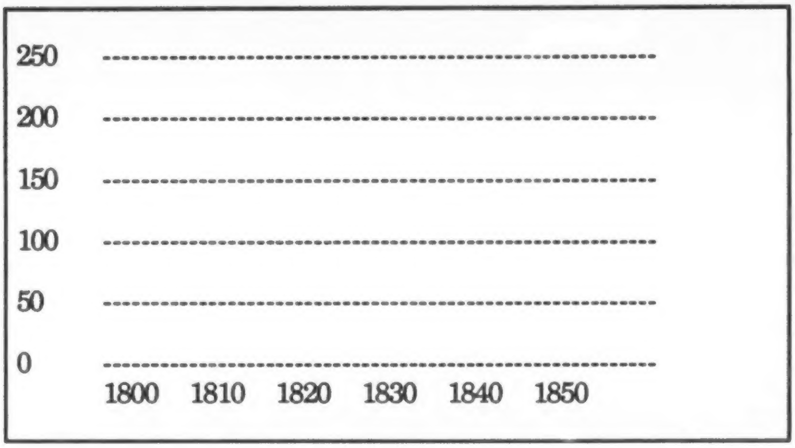
__ O. Census figures of 1930, showed 400,000 children employed in agriculture, 200,000 children employed in other industries.

__ P. By 1860, a few states had outlawed factory employment of children under 10-12 years of age. However, 20 percent of all U.S. children were employed full time in 1890.

Handout 2

GRAPHING EFFECTS OF LAWS ON CHILD LABOR

School Enrollment 1800s



Plot these facts on the graph. Connect the dots to form a line.

FACTS:

A. In 1800, 200 children under age 11 attended school in this New England town.
B. By 1810 only 150 children attended school.
C. Ten years later attendance had dropped to approximately 75 students.
D. By 1830 only 40 students were enrolled in school.
E. By 1840 enrollment was up to 50.
F. Predict the enrollment for 1850 (Hint: use your timeline dates for help!)

Source: Kleen, Stanley, Our Country's History, New York: Scholastic Book Services, 1981, p. 248.

Handout 3

GEORGIA WORK LAWS FOR MINORS

Children 12 Years Old and Under

No work is allowed except for farming and domestic service or within limits of law for parent(s) or guardian(s). Acting in movies or as photomodel is allowed if the workplace is approved by state Secretary of Labor. (The law sets a number of conditions in regard to modeling or filmwork. These pertain to moral climate of studio, hours, and presence of parent or guardian.)

Youths 12 to 15 Years Old

Work is allowed, but only in nonhazardous employment. A work permit, obtained from the youth's school, and a social security number, are required. During school year no work is allowed while school is actually in session. Youths in this age range may work up to 4 hours per day, not to exceed a limit of 40 hours. per week. Work can only take place between 6 a.m. and 9 p.m., except for employment in newspaper delivery (must be 15 years old) which can start at 5 a.m.

Youths 16 to 18 Years Old

All types of work are allowed, with a permit, except serving alcoholic beverages. Youths may not work during class hours if enrolled in school.

Hazardous Work

Georgia Department of Labor rules site as hazardous, occupations or work conditions connected with: power-driven equipment; motor vehicles; tools or equipment connected with construction or food processing; retail and wholesale fixtures such as open boilers, deep fat fryers, etc.; railroads and boats; handling of dangerous gases or acids; unguarded gears; scaffolding; commercial freezers; public utilities; loading of goods; logging and sawmilling; handling radioactive materials; demolitions; and excavations.

Minors 14 and over can, however, work on lawn and garden maintenance with a work permit. The employer must furnish for accident and sickness or workers compensation insurance.

Georgia law prohibits work by youths under 16 in any mill, factory, laundry, manufacturing, or workshop that has been designated as hazardous or injurious to health or morals of a minor. (O.C.G.A. 39-2-1-2)

Migrant Child Farm Workers

State and federal laws have little effect on the lives of migrant child farm workers. These children travel and work with parents; receive little schooling; endure long hours, poor sanitation and housing, and possible exposures to dangerous pesticides.

IN GEORGIA CAN YOU LEGALLY WORK AT...?

1. If you are 11, can you legally work on your uncle's farm?
2. If you are 14, can you legally work in a factory?
3. If you are 18, can you legally work in a bar?
4. If you are 15, can you work 6 hours a day during school?
5. If you are 13, can you work without a work permit?
6. If you are 7, could you legally perform in a commercial movie?
7. In 1910, if you were 10, could you legally work 60 hours a week in a store?
8. In 1990, if you were 10, could you legally work 35 hours a week in a store?
9. In 1910, if you were 14, could you legally work in a coal mine?
10. In 1990, if you were 14, could you legally work in a coal mine?

Transparency Master

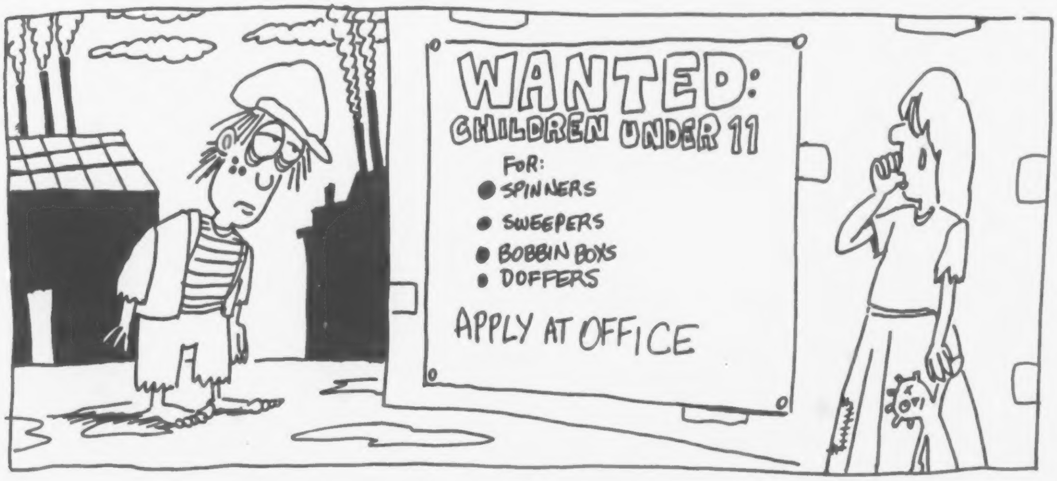
HELP WANTED: 1900

WANTED!
CHILDREN UNDER 11 FOR:
SPINNERS
SWEEPERS
BOBBIN BOYS
DOFFERS
APPLY AT OFFICE:
BROOKSHIRE MILLS

GIRLS WANTED FOR
LIGHT SEWING
ADVANCEMENT POSSIBLE
FOR GOOD WORK
T.M. HOOKS & COMPANY

CALLING ALL ABLE-
BODIED WORKERS FOR
HEAVY LABOR.
MUST BE 12 YEARS OR
OLDER.
20 CENTS PER HOUR
FARM-TOOL FACTORY

GOOD SHOE FACTORY
WORKERS WANTED. MEN
OR WOMEN 7 DAYS WEEK
(6 A.M. TO 7 P.M.)
NO SICK LEAVE OR
VACATIONS
APPLY AT FACTORY
OFFICE


WANTED:
CHILDREN UNDER 11
FOR:
SPINNERS
SWEEPERS
BOBBIN BOYS
DOFFERS
APPLY AT OFFICE

Sixth and Seventh Grade Lessons

WHO TOOK MY DESK?

GRADE LEVEL: 6-7 **AUTHOR:** Joyce Alexander

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Property; compensation; ownership responsibility; ownership rights

MAIN IDEAS:

a. Our laws provide certain rights to citizens, one of which is to own property.
b. Property owners have to follow laws limiting uses of property.
c. Owners and users of property have certain responsibilities.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-17. Demonstrates through classroom activities the necessity for rules in an ordered society
6-20. Listens to and respects the views of others
6-26. States reasons for an advocated position

INSTRUCTIONAL STRATEGIES:

Brainstorming answers to property ownership problem
Comparing answers to relevant law
Developing group resolutions to property rights problems
Brainstorming lists of responsibilities

OBJECTIVES:

The learner will
--identify the basic rights of property ownership.
--give examples of limits and responsibilities of ownership.
--apply information on rights to solve questions about property ownership.

TEACHER BACKGROUND:

Among the basic legal rights guaranteed by our government are the right to enter into contracts, the duty not to harm others, and the right to own property. Information about these rights is in Handout 2, Facts About Property Ownership.

MATERIALS AND RESOURCES:

Handouts

1. Who Took My Desk?
2. Facts About Property Ownership
3. Property Ownership Scenarios

PROCEDURES:

1. Ask the students if they have ever had any of their possessions stolen? As they recount their experiences, probe to determine what legal rights they had to the property and what those rights meant in terms of recovering it.

2. Pass out Handout 1, Who Took My Desk? After the students have read it, solicit answers to the questions: What can I do? What are my rights? List responses on board and discuss.

   Possible responses are: 1) hunt for lost desk; 2) notify school and law enforcement agencies; 3) offer reward for return of desk; 4) if lax school security was cause of theft, discuss reparation from school; 5) buy new desk; 6) watch lost and found columns; 7) file insurance claim if loss is protected.

3. Now discuss the issue of the student's private ownership of the desk. Use the questions below to further discussion:

   a. Can he use the desk however he wants?
   b. Can he use the desk whenever he wants?
   c. Can he loan out the desk?
   d. Can he give the desk away?
   e. Can the government (school) take it from him?
   f. Can he destroy the desk if he wants?
   g. Can he carve his initials on the desk, if he wants?

   Tell the students that the next handout will help them determine the legal answers to these questions.

4. Distribute Handout 2, Facts About Property Ownership. Have students read it and discuss any questions. Then use the handout to analyze the previous responses of students to the questions in procedure 3.

   Notes on responses: There could well be school rules that would affect some of the uses of desks. However, these have not been specified, nor are they reflected in the following commentary on the questions asked in procedure 3:

   a. Yes, unless there are laws affecting use. Might the school have laws or rules?
   b. Yes and no. Presumably, he would only be able to use the desk when school was open.
   c. Yes. Presumably, he could loan it to another class member. If he loaned it to a non-class member, he or she probably would have to remove it to use it.
   d. Yes. Some users could have to remove the desk in order to use it (same as c).
   e. Yes, but only with fair compensation.
   f. Yes, but his parents would have to buy him another if he remained in class.
   g. Yes, but it might make it difficult to sell the desk.

Period Two

1. Briefly review the main ideas gained from period one. Tell the students that they must now use their knowledge to analyze some property ownership problems.

2. Divide the class into small groups. Give each group a copy of the Property Ownership Scenarios, Handout 3. (Jeremy refers to the student whose desk was stolen in Handout 1.) You may assign all or some of the scenarios to each group, but be sure that each scenario is assigned to at least two groups so responses can be compared.

   Have each group select a spokesperson and a recorder, who is to report and write down responses to the questions in the scenarios.

   Allow time to finish work, and then have groups report their responses to class. Compare responses among groups and with notes below.

   Notes on scenarios:

   a) John would have the right to loan the desk. (This would not be true if a condition of sale prohibited this.) John would have been wise to have set a time limit on the loan. John does have the right to expect the property back in the shape he lent it; Jeremy would have to pay for any damages done.

   b) Legally, property can be used as the owner wishes as long as no laws are violated. In this case, fire laws would prohibit blocking of the door.

   c) The same principle as in b applies. It seems likely there would be a school or class rule prohibiting the disruption of classes which would serve to prohibit the bicycle horn. Would it have made a difference it she had brought a melodious sounding bell?

   d) The location of the desk makes considerable difference in this case, just as location of land can affect permissible uses. If the desk were used in Todd's home, he could decorate it as he pleased, barring family rules. But because the desk is being used at school, even if privately owned, it is likely that school would find the artwork disruptive, inappropriate, and possibly obscene.

   e) Yes. There is no indication that desks have to be sold back to the school.

   f) Yes. There would be many changes in what students could do with their desks. Since the school would be the owner of the desks, school rules would determine usage.

3. Point out that rights carry responsibilities. Have class as whole (or in small groups), discuss answers to the following questions:

   a) What are some of responsibilities of property owners? For example, what responsibilities would you have if you owned a bicycle? (Care, protection, obeying laws regarding use, paying for property if it was bought on a loan, proper disposal, etc.) What problems might occur if an owner failed to carry out these responsibilities?

b) What are some of responsibilities of persons regarding use of public or other's private property? (proper care, obeying laws regarding use, etc.)

EVALUATION:

- Ask students for written answers to the following:

  a) Give two examples of real property and two of personal property.
  b) Define public property.
  c) Name three rights of a property owner.
  d) Describe an illegal use of public property.
  e) Name two responsibilities of a property owner.

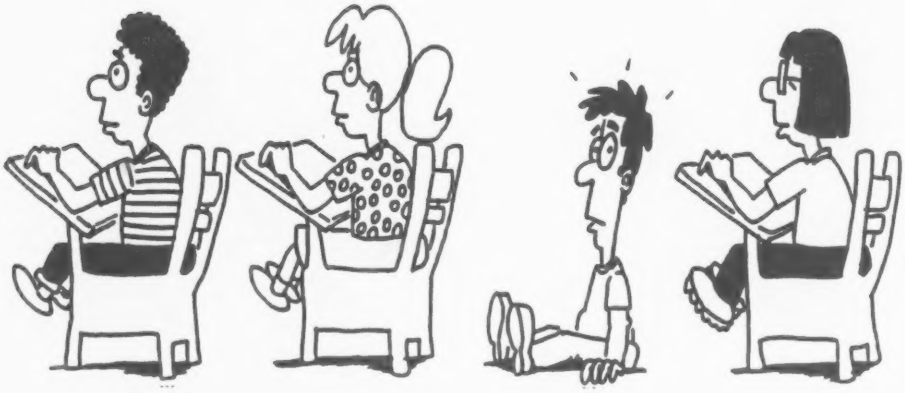
ENRICHMENT:

- Have students look for newspaper articles about the rights of property ownership. Have them summarize the articles and discuss with the class the applicable laws.

- Have the students or small groups of students prepare a mock trial based on a property dispute situation. They should describe situation, and write the testimony of witnesses for both sides.

- After trial is written, the students should conduct it, assigning parts. Class members--not playing attorneys, defendant, plaintiff, victim, or witnesses--could serve as jurors or newspaper reporters covering the trial. Have a visiting dignitary (principal, attorney) be the judge.

WHO TOOK MY DESK?



Dateline: April 17, 1997

It was just a regular school day, homework in geometry, computer-assisted instruction in science, and a laser disk movie in language arts. I thought it was just going to be a normal day... until I walked into social studies class. That's when I realized...

SOMEONE STOLE MY DESK!!!!!!

I looked everywhere; behind the cabinets, over by the computers, and even out in the hall, but I couldn't find it anywhere...Where is MY Desk?

You know, ever since the budget cuts of a few years ago, the school district has been making all of us buy our own desks and books for each class. When you are done using them, the school will buy them back from you, but, of course, they're used now, and you never get as much money back as you want. But, having no desk at all is a real problem. I paid (actually my mom paid) $150.00 for that desk and now it's gone.

Whoever took my desk is going to pay!! But what can I do? What are my rights?

FACTS ABOUT PROPERTY OWNERSHIP

Property is anything you own. It can stay in one place--like a house or land. This is called real property.

Other kinds of property are called personal property. Personal property can be things you can move around, like a watch or car or cat. Or personal property can be something you can't touch--like the ability to drill for oil in a certain spot, or an idea for a trademark.

Generally, you can use your property as you wish. However, your use may be limited by laws and regulations. For example, laws prohibit your using your knife as a murder weapon or a can of spray paint to "recolor" school walls. Or, if you own a car, you can't drive it without a license, and even with a license, you must obey traffic laws. You may own land, but your use of it is likely to be limited by environmental protection, zoning, and other laws. (Zoning laws determine how land can be used. They determine whether you can use the land for a house or a store or a business.)

Other people can only use your property with permission. No one can legally take your property except in special situations. It can be taken from you to satisfy certain claims against you (such as debts that you cannot pay). In these cases, certain legal procedures must be followed. Generally, the government cannot take away your property without compensating you for its value.

If your property is illegally taken or damaged by another, you have the right to use the justice system to recover what you have lost. The criminal justice system will attempt to find, try, and punish the thief or vandal. In addition you may seek to recover your losses through a civil suit.

Some property is privately owned by individuals or corporations. Other property is controlled by local, state, or federal governments or their agencies, and owned by "we the people." This kind of property is called public property. Generally, it is available for use by all. However, that does not mean you can walk into a publicly owned building or park at any time. Nor does it mean you can remodel or deface public property. Many of the rules that apply to use of other people's private property apply to use of public property.

In general, you can build, change, deface, or destroy property you own, as long as others are not offended or endangered, and as long as you stay within legal limits.

Every citizen of the United States has the right to own property. In some other countries, though, individuals may have fewer property rights. The individual may not have the right to purchase certain types of property (such as gold coins, computers, and handguns).

PROPERTY OWNERSHIP SCENARIOS

(Scenarios refer to the situation described in Handout 1. Jeremy is the student whose desk was stolen.)

Scenario A:

One of Jeremy's classmates, John, decided to loan Jeremy his extra desk for the time being. What rights does John have? Should he expect the property back in the same shape he lent it?

Scenario B:

Susie, Jeremy's classmate, decided today that she wanted to move her desk in front of the door way. Can she do that? If not, why not? If yes, what's the basis for your argument?

Scenario C:

Kim, Jeremy's classmate, has decided to bring her bicycle horn to school and attach it to her desk so she can really get the teacher's attention when she wants it. Can she do this? If yes, what is the basis for your argument? If no, why not?

Scenario D:

Jeremy's classmate, Todd, has decided to decorate his desk. However, his decorations are less than tasteful with "bathing and beauty" suit pictures displayed where everyone can see them. Can he do this? If yes, what is the basis for your argument? If not, why not?

Scenario E:

Ann, Jeremy's classmate, is moving out of the school district tomorrow. She plans to take her desk with her rather than sell it back to the school. Can she do this? If yes, what's the basis for your argument? If no, why not?

Scenario F:

What if, like today, the desks were still owned by the school? Would that make any changes in how the desks could be treated? Are you allowed to write on your desk, take it home with you, or move it anywhere in the classroom you want?

FORGERY IN THE SCHOOLS

GRADE LEVEL: 6-7 **AUTHOR:** Joyce Alexander

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Forgery; intent to defraud; alter; falsify; identification document

MAIN IDEAS:

a) The crime of forgery is committed when a person makes, alters, signs, or uses letters, financial documents, checks, official identification, or credit cards with the intent to defraud.
b) A student who falsifies such things as a report card or a note from home, is committing the crime of forgery.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-17. Demonstrates through classroom activities the necessity for rules in an ordered society
7-16. Works within a group, following set rules of procedure, to complete an assigned task

INSTRUCTIONAL STRATEGIES:

Discussion of opening scenario
Reading and analyzing a description of Georgia's forgery law
Role playing forgery scenarios

OBJECTIVES:

The learner will:
--define forgery and intent to defraud.
--state the law applying to forgery.
--apply the law on forgery to solve new problems presented in scenarios.

TEACHER BACKGROUND:

Georgia law states that it is illegal for a person to create or possess writing in a fictitious name or to alter existing writing so that it looks like it was made by another person.

The crime of forgery in the first degree is defined in O.C.G.A. 16-9-1 as follows:

a) A person commits the offense of forgery in the first degree when with intent to defraud he knowingly makes, alters, or possesses any writing in a fictitious name or in such manner that the writing as made or altered purports to have been made by another person, at another time, with different provisions, or by authority of one who did not give such authority and utters or delivers such writing.

b) An adult convicted of the offense of forgery in the first degree shall be punished by imprisonment for not less than one nor more than ten years.

Case law has established that signature need not be present for forgery to have been committed. Neither is it necessary to show that financial damage has occurred. As long as the person had intent to defraud another, the crime of forgery has been committed.

The crime of forgery in the second degree is defined similarly to first degree forgery except that it does not require that the forged document be uttered or delivered. Adults convicted of second degree forgery will be sentenced to from one to five years of imprisonment.

Anyone knowingly passing as genuine a false identification document (false ID) is guilty of forgery. Even if a person doesn't use the false identification card, he or she may still be found guilty of forgery. Anyone making, selling, or distributing a false ID is also guilty of forgery. A conviction for a first offense of forgery of a false ID is a misdemeanor. A second or subsequent offense is considered a felony and may result in a fine of not more than $5,000 or imprisonment for not more than three years.

Anyone who uses a financial transaction card without the owner's approval is also guilty of forgery. A financial transaction card can include a credit card or an automatic teller card.

The court generally expects that parents and school authorities will deal with children and youth who commit common acts of forgery such as falsifying a note from home or signing a parent's name to a report card. Acts of forgery occurring outside the school could be dealt with in a variety of ways, depending upon circumstances such as the youth's age, the specific act of forgery committed, and whether the juvenile was a repeat offender. A juvenile found guilty of forgery could be given probation under court supervision with conditions requiring restitution or counseling. Severe or extreme cases might result in commitment to a Regional Youth Detention Center.

MATERIALS AND RESOURCES:

Handouts

1. No More Physical Education!
2. Georgia's Forgery Law (may also be used as an overhead transparency)
3. Forgery Quiz

Attachment

1. Forgery Role Plays

Overhead projector (optional)

PROCEDURES:

1. Tell the students that this lesson is about forgery and ask if anyone can tell you what the word means. Accept plausible responses and explain that forgery is often thought of as signing someone else's name to a check. Tell the students that Georgia's forgery law actually applies to many other situations and that they will learn about some in this lesson.

2. Distribute Handout 1, No More Physical Education, and ask the students to read it. Ask for one or more volunteers to retell the scenario, and then lead a discussions using the following questions:

   a. Are there any words in the story that make you think that Jeannie knew she was doing something wrong?
   b. What is wrong with forging a note from your parent or guardian? What kind of trouble can result from such an action?
   c. Do you think that Jeannie would have gotten away with her scheme for long? Would the next report card have reflected her absence from P. E.?
   d. How would Jeannie's parents, teachers, and friends feel about her if they learned of her dishonesty?

3. Tell the students that there are laws designed to protect people from forgery and to keep people from forging any kind of document. Distribute Handout 2, Georgia's Forgery Law. Discuss each point and ask the students to speculate as to what these ideas imply for their conduct in school.

4. Divide the students into four groups. Give them each a role play to work on and some time to get organized. Tell them the scenarios have direct bearing on the types of laws they've been discussing and ask them to decide as a group what they would do in that scenario. Have each group role play its scenario for the entire class.

EVALUATION:

- Distribute Handout 3, Forgery Quiz, for students to complete.

- Additional evaluative information for this lesson can be gained from the role playing.

ENRICHMENT:

- Have the students create informative posters telling their peers what they have learned about Georgia's forgery law. Display in the hallway.

- The students could look for articles about forgery in newspapers and magazines. These could be posted on a bulletin board or collected for a scrapbook.

- Have a policeman come in and talk about fake IDs and what the police do when they catch adults and juveniles with forged documents.

NO MORE PHYSICAL EDUCATION!

Not unlike many other sixth grade girls at her school, Jeannie hated physical education, or P.E. as it was commonly called. If it was held inside, it meant getting all sweaty and doing dumb sit-ups and push-ups. If the coach made everyone go outside, the mud and dirt on the playground never failed to get smeared on your clean clothes. And no matter where it was held, P.E. was no fun if you weren't any good at the games and skills being taught.

Jeannie had pleaded with her parents many times to write her a note to excuse her from P.E. Other girls her age had gotten their parents to do it, but not her parents, oh no. They always said things like "Just try it a little longer, maybe your attitude will change," or "The President's Council on Physical Fitness reported that exercise is crucial to the healthy development of all children." The tone of their voices said it all...they would never write her an excuse.

It was no use trying to persuade parents like that, so in desperation, Jeannie turned to what she thought was a clever, harmless, and final solution: Jeannie wrote herself an excuse from "Mom."

It really wasn't very hard. She just used a sheet of her mother's personal stationery and made sure that she formed her letters with swift and decisive pen strokes. The closing and signature had been the hardest part. "How would Mom end this note?" she thought out loud. There was a moment of indecision and guilt, but then the pen moved as if on its own, neatly forming an official closing: "Thank you in advance for complying with this request. Sincerely, Mrs. Heartly."

Now all she had to do was deliver it.

GEORGIA'S FORGERY LAW

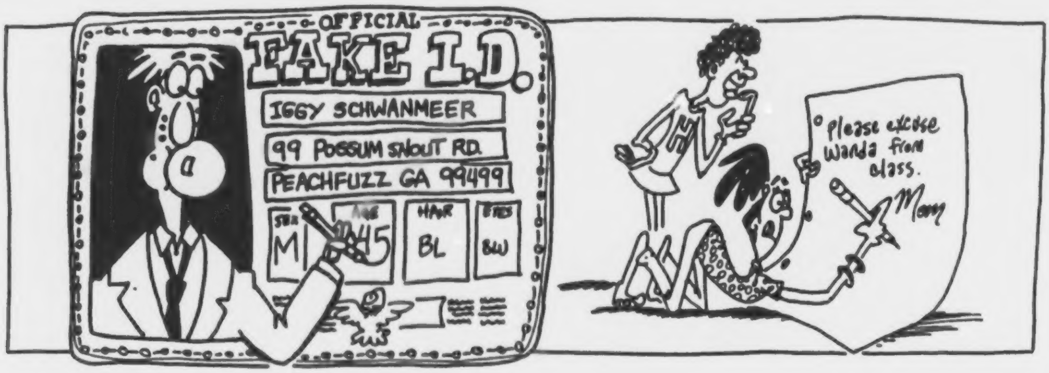
Georgia law states that it is illegal for persons to create or possess writing that they claim to be their own when it is not. It is illegal to alter existing writing so that it looks like it was made by another person.

A signature need not be present for forgery to have been committed. As long as the person had intent to defraud another, the person has committed forgery. Intent to defraud means that the documents were created to trick someone out of something he or she is due (like a bill) or owns.

Anyone knowingly passing as genuine a forged document is guilty of forgery.

False identification documents (IDs) are also illegal. If a person is caught with a false ID he or she has committed forgery, even if he or she has never used the ID to defraud another person. Trying to use a false ID is also forgery. And, of course, the making and selling of false IDs is considered forgery.

Anyone who uses a financial transaction card without the owner's approval is guilty of forgery. Credit cards and automatic teller cards are examples of financial transaction cards.


OFFICIAL
FAKE I.D.
IGGY SCHWANMEER
99 POSSUM SNOUT RD.
PEACHFUZZ GA 99499
SEX
M
AGE
45
HAIR
BL
EYES
BW
Please excuse Wanda from class.
Mom

Handout 3

FORGERY QUIZ

1. What is forgery? Define it and give an example.

2. You find a check in the street. You take it to K-Mart and try to pass it off as your own. Is this forgery? Why or why not?

3. Your friend gives you an ID so you can get into a party. You use it. Have you committed forgery? Why or why not?

FORGERY ROLE PLAYS

SCENARIO ONE

Your best friend, Tom, tells you he has his mother's credit card and asks you if you would like to go on a spending spree. Tom's mother does not know the credit card is missing.

Role Play:
1. Tom trying to persuade his friend, Ben, to go shopping. Ben resists.
2. Tom trying to explain his new purchases to his mother.

SCENARIO TWO

Your friend, Sonja, tells you that she really didn't write her history report. She just changed the name and a few words on a report she got from a friend who had Ms. Castle last year.

Role play:
1. Sonja talking to Ms. Castle about the content of the paper.
2. Ms. Castle talking to Sonja's mother about the incident.

SCENARIO THREE

James comes up to you and asks you if you want to buy a false ID. He says no one will know that it is fake.

Role play:
1. Your conversation with James, as he tries to sell you the false ID.
2. James trying to explain the false ID to the principal who overhears the conversation.

SCENARIO FOUR

To avoid showing his father all of his Ds and Fs, Rodney forges his father's signature on his report card. When Ms. Whitehall opened it, she knew it was a forgery.

Role play:
1. Ms. Whitehall confronting Rodney about the fake signature.
2. Rodney trying to explain his conduct to his father.

DEFAMATION OF CHARACTER: SLANDER AND LIBEL

GRADE LEVEL: 6-7 **AUTHORS:** Sharon Fletcher and Kathleen Judge

TIME REQUIRED: Three class periods

CONCEPTS/ VOCABULARY:

Civil suit; damages; tort; plaintiff; defendant; defamation; libel; slander; communication to a third party; truth of statement; opinion; malicious intent

MAIN IDEAS:

a. Georgia laws exist which protect citizens from defamation of character, either printed (libel) or spoken (slander).
b. In order to be considered defamation of character (libel or slander), the statements must be communicated to a third party and be untruthful.
c. In the case of slander, the victim must be able to show actual damage as a result of the false statement. Damage is presumed in the case of libel, but malicious intent must be proven.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-18. Works with others using democratic principles
6-25. Formulates and defends positions on an issue.

INSTRUCTIONAL STRATEGIES:

Discussing defamation by libel or slander
Vocabulary match of legal terms related to libel and slander
Checklist analysis of libel and slander scenarios
Role play of libel case court proceedings

OBJECTIVES:

The learner will:
--define defamation, libel, and slander.
--recognize instances of libel and slander.

TEACHER BACKGROUND:

This lesson concerns defamation, which occurs when one person makes a false and harmful statement about a second person to a third person. Defamation can be oral or spoken, in which case it is called slander. Defamation can also be written; written defamation is called libel.

Protection against defamation comes primarily under the civil law. Civil law covers all areas of law except those concerning crimes. Defamation is an intentional tort. A tort is a wrongful act that injures or interferes with another's person or property.

In Georgia, the law on defamation can be found in the Official Code of Georgia Annotated. This law is actually common (or case) law that has been put into the code by Georgia legislators.

Torts are not crimes. (Georgia has a law against criminal defamation, but in 1982 its phrasing was said to be over-broad and hence, unconstitutional. The law does not appear to have been used since then.)

Libel

A libel is a false and malicious defamation of another expressed in print, writing, pictures, or signs tending to injure the reputation of the person and exposing him to public hatred, contempt, or ridicule. (O.C.G.A. 51-5-1) In the case of libel, damage is presumed based solely on publication of the false statement. In the case of a letter, a letter must be received by a third party for libel to occur.

Special conditions apply to famous persons (politicians, movie stars, etc.). In these cases, a public figure must not only prove a statement is false and causes harm, but also that the statement was made with actual malice (i.e., with knowledge of its falsity or with a reckless disregard for whether the statement is true).

Slander

The law forbids persons to make oral statements that harm the reputation of another person. In the case of slander, the plaintiff must be able to show actual (generally monetary) damage as a result of the false statement. The statement must be heard by a third party. Georgia law defines slander as imputing to another a crime punishable by law; charging a person with having some contagious disorder or with being guilty of some debasing act which may exclude him from society; making charges against another in reference to his trade, office, or profession, calculated to injure him therein (damage inferred in these cases); or uttering any disparaging words which can be proven to cause damage to that person. (O.C.G.A. 51-5-4)

A defamation case will be initiated in a civil court by the person who claims to have been defamed. This person is called a plaintiff. The person who is being sued for defamation is called the defendant.

In a defamation case:

1. communication to a third party is essential for both slander and libel.
2. truth is an absolute defense. If what is said is true, then the charge of slander or libel will not hold.
3. there must be damages to the plaintiff. In libel and in certain instances of slander, the damages are inferred and do not have to be proven by the plaintiff. In other slander cases, damages must be proven. (Note above that standards differ for public figures.)

The law also allows for opinion. For instance, if a movie reviewer is particularly critical in a review of an actor's performance, the review may harm the actor's reputation and economic interests, but the statements will be protected as opinion if the facts on which the opinion is based are accurate.

Malicious intent is a statement made with knowledge of its falsity or with a reckless disregard for whether the statement is true. To win a defamation suit against the media, a public figure must not only prove a statement was false and caused harm, but also that the statement was made with actual malice.

MATERIALS AND RESOURCES:

Handouts

1. Matching Definitions and Terms in Defamation Cases
2. Defamation Scenarios Checklist
3. Defamation Scenarios

PROCEDURE:

Period One

1. Pass out a 3x5 card to each student. Ask the students to think of an instance when someone said or wrote something negative about them (or someone they know) that wasn't true. They may have overheard it or found out about it because a third person (third party) told them what was said or they saw what was written. Have them write a brief description of the incident on the 3x5 card. Caution students that these examples will be shared with other class members, so they should not choose an incident that will be embarrassing to them or their peers. (If necessary, examples could be fictional.)

   Pair the students to discuss their incidents. Write the following questions on the board to structure discussion: Was the negative statement written or spoken? Was it true? Was part of it true? Was it done to harm? Was it malicious?

2. Write the words libel, slander, tort, civil suit, plaintiff, defendant, communication to third party, damages, truth, opinion, and malicious intent on the board. Present and discuss the definitions provided in the Teacher Background section. For each definition, present or ask for examples that can provide content linking or emphasis. Ask questions and probe students' responses to facilitate understanding.

3. Summarize the lesson by having several students read their cards out loud. Tell whether the example is one of defamation and, if so, if it is slander or libel. Ask them to justify their decision by pointing out the presence or absence of defamation elements: third party; truth of the statement; malicious intent; damages. Have their classmates either support or challenge each student's classification of his/her example.

4. Distribute Handout 1, Matching Definitions and Terms, and have the students complete it as homework or seatwork.
   Answers: 1. (j) 2. (a) 3. (e) 4. (i) 5. (k) 6. (d) 7. (b) 8. (g) 9. (f) 10. (c) 11. (l) 12. (h)

Period Two

1. As a group correct Handout 1. Review any terms and definitions discussed that students missed or seem confused about.

2. Divide the students into groups of 3-5 students each. Pass out Handouts 2 (checklist) and 3 (Scenarios). Each group is to read and discuss each scenario, complete the checklist, and provide a rationale for each scenario decision. In the first two columns, they are to identify who would be the plaintiff and who the defendant if there were a law suit. In the damages column, they can respond "yes" if there could be monetary damages, or "no," or "not sure" if they are not sure. A spokesperson, who will present the group's conclusions, should be selected by each group.

3. Review the highlights of the first scenario. Ask one group to present their checklist results and rationale. Elaborate, or ask the group members to elaborate, whether defamation elements have been covered in the rationale. Ask the other groups whether they agree or disagree with the group's results. If they disagree, have them support their point of view. Write, either on the blackboard or on a transparency, the class's final decision regarding the checklist items and their rationale.

   After this brief discussion of the first scenario, move on to the next scenario and repeat the presentation/discussion format with a different group. Continue until all scenarios have been covered.

   Responses to Scenarios:

   1. No. The statement could be true, but there was no third party present and no evident financial damages.

   2. Possibly. The mechanic should sue if he can prove that Mrs. White's statement was false and caused financial damages.

   3. No. The opinions expressed in the review appear to be based on facts or are really matters of opinion (i.e., bad plot).

   4. No. As public figures, Prince Charles and Princess Diana would be required to prove that the statements were false, caused harm, and were made with actual malice.

   5. Maybe. However, Dr. Smith would have to prove that the statements were not true.

Period Three

1. Conduct a mock trial using Scenario 5, Dr. Smith v. Mrs. Candy. Roles may be adjusted or combined to accommodate your class size or particular needs. You will need to provide time for preparation; the amount will be determined by how elaborate a trial you wish to have. You may want to prepare by writing more thorough descriptions of roles. (An attorney can be helpful in classroom mock trials. He or she can assist in preparations, play the role of judge or another part, and contribute to the debriefing.)

2. Divide class into three groups. The first will be the team for the Plaintiff, the second, the team for the Defendant; and the third, the Judge, Bailiff, and jury. Groups should

meet before hand. The plaintiff's and defendant's teams will need to prepare their strategies and testimonies. The attorneys will have to prepare opening statements and closing arguments. The other group should review court procedures and set up the courtroom.

Roles: (For the Plaintiff)

Plaintiff, Dr Smith--Dr. Smith, who is charging Mrs. Candy with slandering him at the hospital entrance in front of other patients.

Attorney: (you may wish to have two; one to give opening statement and do direct examinations; the other to give the closing argument and do cross-examinations.) Attorneys will organize and present case. The plaintiff's attorney(s) will want to show that the statements were untrue, communicated to a third party, malicious, and that the plaintiff was damaged by the statements. They should also determine how much to ask for damages and give evidence to show financial losses.

Possible Witnesses:

Individual(s) who heard Mrs. Candy's statements.
Hospital receptionist who heard statements.
Former patients who have been satisfied with Dr. Smith's skills.
Doctors to testify to his competence (or, if you want, one to throw doubt on whether the error was totally his fault.)
Office bookkeeper to document financial losses.

Roles: (For the Defendant)

Defendant, Mrs. Candy: Mrs Candy claims that the statement was not libelous because it was true.

Attorney: (You may wish to have two; one to give opening statement and do direct examinations; the other to give the closing argument and do cross-examinations.) Attorneys will organize and present case. The defense attorneys will want to show that one or more of these elements of defamation are not present; i.e., that statements were true, and/or not malicious, and/or that the doctor wasn't harmed by them.

Possible Witnesses:

Mr. Candy
Operating room nurse or personnel to testify as to error.
Eye specialist to testify as to error.
Former patients dissatisfied with Dr. Smith's skills.

Courtroom personnel:

Judge: Conducts the trial and maintains order in the courtroom; directs the jury as to the law in the case.

Bailiff: Escorts witnesses to the stand and swears them in. Keeps order in the courtroom.

Jury: Will determine whether Mrs. Candy committed slander or did not. If they find that she did , then they must determine the amount of damages that Dr. Smith should receive.

3. Debrief that trial after it is complete by asking such questions as: Was justice done here? Did Mrs. Candy commit slander? Was the trial fair? Would Dr. Smith be more or less likely to win in real life?

EVALUATION:

- Ask the students to write definitions of libel and slander and provide an example for each.

ENRICHMENT:

- Make a crossword puzzle using the terms and definitions learned.

- Go to the library and, by reading popular magazines or newspapers, identify stories that could be construed to be libelous. Determine why, if the person who is the focus of the story attempted to sue the magazine or newspaper, he/she might win or lose the case.

Handout 1

MATCHING DEFINITIONS AND TERMS IN DEFAMATION CASES

___ 1. third party

___ 2. defamation

___ 3. truth

___ 4. malicious intent

___ 5. defendant

___ 6. slander

___ 7. opinion

___ 8. libel

___ 9. plaintiff

___10. tort

___11. damages

___12. civil law

a. an untrue, harmful statement about another person

b. what someone thinks; can be based on fact

c. a wrongful act that injures or interferes with another's person or property

d. oral statements that are untrue and harmful

e. the actual fact

f. the person who claims to be harmed and brings lawsuit

g. written statements that are harmful and untrue

h. generally, all law except criminal law

i. acting on purpose to hurt someone

j. the person (or people) who hears or reads the statement (said to be untrue and harmful) about someone

k. person in lawsuit charged with making harmful statement

l. financial losses; harms; injuries

Handout 2

DEFAMATION SCENARIOS CHECKLIST

DIRECTIONS: Fill in the names of the plaintiff and defendant in each case. Then decide if the case qualifies as an example of slander or libel, and whether a court-ordered financial award for damages to the plaintiff's character would be a possibility. Be prepared to share your reasons in support of your decision in each case.

SCENARIO 1

PLAINTIFF	DEFENDANT	SLANDER OR LIBEL	DAMAGES

SCENARIO 2

PLAINTIFF	DEFENDANT	SLANDER OR LIBEL	DAMAGES

SCENARIO 3

PLAINTIFF	DEFENDANT	SLANDER OR LIBEL	DAMAGES

SCENARIO 4

PLAINTIFF	DEFENDANT	SLANDER OR LIBEL	DAMAGES

SCENARIO 5

PLAINTIFF	DEFENDANT	SLANDER OR LIBEL	DAMAGES

DEFAMATION SCENARIOS

SCENARIO 1
Tom's class is busy taking a math test. Mrs. Walker, the teacher, steps out of the room for a minute to talk to the principal. Tom looks up from his test and sees that Jonah is showing Tiffany his test. He asks Tiffany and Jonah what they are doing. They explain that the print of Jonah's test was smudged and that Jonah is showing her the problem while covering up his answers. After the tests have been graded and returned, Tom sees that Jonah received a 93 and Tiffany received an 87 on their exams while he got a 76. Later, Tom sees Tiffany alone in the hallway and calls her a "cheater." Tiffany tells Mrs. Walker that Tom is bothering her and calling her names. She wants Tom to apologize. Mrs. Walker tells Tom that he is committing slander. Is she correct?

SCENARIO 2
Mrs. White had a mechanic change the oil in her car. The next day, she returned to the garage and said in front of several customers, "I'll sue you! You ruined my car. My brakes aren't working!" Should the mechanic sue her for the statement she made?

SCENARIO 3
A book critic wrote a negative review of the novel, Here Today, Gone Tomorrow, in a national newspaper. In the review, the critic cites several examples of a bad plot, poor descriptions, and incorrect grammar. The author claims to have lost millions of dollars because of this famous critic's review. Should the author sue the critic?

SCENARIO 4
There have been many stories about Princess Diana and Prince Charles. Some claim they may get a divorce; others claim they are avoiding each other and going to parties with other persons. Should the royal couple sue the newspapers for defamation?

SCENARIO 5
Mr. Candy is in the hospital to have an operation on his right eye. Dr. Smith operates on Mr. Candy's left eye by mistake. Mrs. Candy confronts the doctor in the crowded hospital entrance and yells at him, "You're a butcher! You ruined my husband. Now he is blind in both eyes. I wouldn't let you operate on my gerbil!" Dr. Smith's reputation is obviously harmed; patients refuse to see him and request another doctor. Should Dr. Smith sue Mrs. Candy for making those statements?

IS THE PRANK WORTH THE PUNISHMENT?

GRADE LEVEL: 6-7 **AUTHOR:** Carol Strickland Hall

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Vandalism; interference; government property; criminal damage; defaces; forcibly; criminal mischief; first degree; second degree; misdemeanor; felony

MAIN IDEAS:

a. It is against the law to damage private or public property intentionally; such damage is vandalism.
b. Vandalism has serious legal and financial consequences.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people.

Skills

6-12. Formulates possible alternatives and solutions to a problem
6-16. Works within a group, following set rules of procedure, to complete an assigned task
6-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRETEGIES:

Defining vocabulary words
Discussing vandalism laws
Applying vandalism laws to scenarios
Participating in a mock trial

OBJECTIVES:

The learner will:
--identify laws related to vandalism and distinguish the differences among those laws.
--demonstrate an understanding of the consequences of breaking the laws regarding vandalism.
--establish and defend positions on a vandalism law case.

TEACHER BACKGROUND:

Vandalism is a serious problem in modern American society. Evidence of the problem is all around us, in our schools and parks, on our roadways, and even in damage to our homes and automobiles. Sadly, many young persons simply "don't think" when they are committing such crimes against property. Many may not even know that what they are doing is against the law. Invariably, such youngsters fail to understand the potential legal consequences and the societal costs of their acts.

It is important that the teacher understand that Georgia's law does not identify "vandalism" in the traditional way that most states identify this law within their legal codes. Georgia's code breaks down the laws of property damage and criminal mischief into five separate laws. These laws are as follows:

a. 16-7-21 Criminal Trespass
b. 16-7-22 Criminal Damage to property in the First degree
c. 16-7-23 Criminal Damage to property in the Second degree
d. 16-7-24 Interference with government property
e. 16-7-25 Public utilities law (not dealt with in this lesson)
f. 16-7-26 Vandalism to a place of worship

Handout 1 provides the text of these five laws for teacher and student use.

Teachers should make students aware that the penalties described on Handout 1 are adult penalties. Children under 18 years old taken into custody for these acts appear before the juvenile court . If the child is found to have committed the acts, the juvenile court judge determines the treatment. The degree of punishment depends largely on the severity of the crime and the child's record. For example, a first offender might receive court supervision (probation) for a year with conditions. A repeat offender could be committed to the Division of Youth Services who could, in turn, commit him or her to a Youth Development Center (YDC).

MATERIALS AND RESOURCES:

Handout

1. Georgia's Laws on Vandalism and Criminal Mischief

Attachments

1. Legal Definitions Related to Vandalism
2. Sample Vandalism Cases

Dictionaries

PROCEDURES:

Period One

1. Explain to the students that they are at the age when many young people begin to play pranks. Some of these pranks can have serious repercussions. Ask if anyone can think of a prank they have heard of that could be a crime instead of a prank? If no one answers, say "What about "egging" someone's car? That is not a prank...it is vandalism according to the state of Georgia. Today we are going to discuss other things that could be considered vandalism and their consequences.

2. Because this law is complex and has many headings that constitute different types of vandalism, the teacher must use the first part of the allotted class time to ensure the

students have an understanding of the law. Pass out Handout 1, Georgia's Laws on Vandalism and Criminal Mischief, at this time. Have students read the handout and write down or underline any part of the law that they do not understand. Have them note any vocabulary words they want to discuss.

3. Ask a volunteer to write down any vocabulary words the class might like to discuss on the chalkboard. Add words yourself, if necessary.

4. Divide the class into pairs and assign several vocabulary words to each pair. Distribute dictionaries and ask each pair to write down the definition, part of speech, and an example of how the word might be used. Ask each pair to share their work with the rest of the class. Tell the students to be prepared for a short quiz over these words tomorrow, so they should take notes as their classmates present the terms. You might want to set a time limit for the pairs to complete this task. Discuss any words that need more clarification. Attachment 1, Legal Definitions Related to Vandalism, is provided as a guide for your use.

Period Two

1. Give the students five minutes to review the law-related vocabulary. Choose 10 of the words for a vocabulary quiz and ask the class to define each word in legal terms. Keep this activity brief.

2. Tell the class that now that they understand the language used in the law, we are going to see how many good lawyers we have in this classroom! Divide the class into groups of four to research sample vandalism cases (Attachment 2) you will assign them. Remind students to use Handout 1 for reference. Tell the groups they are to determine if the situation is a crime. If the situation is indeed a crime, the groups prepare to tell the class which area of law the situation represents. They should cite the O.C.G.A. number and the subtitle, if any, that define the action that is in violation of the law. In addition, they should explain what the possible adult penalty would be.

   If the situation is not a crime, they should explain why it would not be considered a crime. Each group's spokesperson will present the results of their research to the class. (Note: Pacing of this exercise is left up to the teacher. The purpose of this exercise is to allow students to become familiar with the laws of vandalism and to demonstrate an understanding of them.)

   Answer Key (to sample cases given on Attachment 2)

   Case number one: Yes, a crime has been committed according to O.C.G.A. number 16-7-22. The key words are: knowingly damages property and endangers human life. For an adult, this is a felony punishable by imprisonment from one to ten years in a state correctional institution.

   Case number two: No, the only crime that was committed was underage smoking. No vandalism is present. The key words again are intent and knowingly.

   Case number three: Yes, a crime has been committed according to O.C.G.A. 16-7-23, Part (a) (1) $500.00 damages and (2) recklessly with explosives (cherry bomb). An adult found guilty of this crime could be punished by imprisonment for a period of one to five years. The boy or boys who actually lit the "cherry bomb" would be guilty.

Case number four: No, even though the cost exceeds $500.00 to replace the barn, the hunters' fire had gotten out of control accidentally. No crime has been committed. A civil law suit could be filed to recover damages.

Case number five: Jack, Judy, and John are all guilty of violating O.C.G.A. 16-7-24. They defaced a government building. According to sub-title (a) the adult punishment for this crime is imprisonment for a period of one to five years.

Case number six: The college students have committed the crime as outlined in O.C.G.A. 16-7-24, sub-title (b). Therefore, the adult punishment would be a misdemeanor, punishable by imprisonment of a period not to exceed twelve months.

Case number seven: Even though the alter boys were wrong to leave their adult leaders, there is no evidence of a crime presented in the case. The cost of replacing the robes is irrelevant. The act was an accident and the items that must be present in O.C.G.A. 16-7-26 were not met.

Case number eight: The girls are guilty of O.C.G.A. 16-7-26. The key words are found in sub-title (a), maliciously deface. The adult punishment is imprisonment for a period from one to five years.

Case number nine: The boys are guilty of O.C.G.A. 16-7-22 sub- title (2). The key words are knowingly, force, and water supply.

Case number ten: Yes, the students are guilty of O.C.G.A. 16-7-23, sub-title (1). The key words are exceeds $500.00, and intentionally damages, property. The adult punishment is imprisonment for a period from one to five years.

Period Three

1. Ask students to re-form yesterday's lawyer-groups. Tell students they are going to create a mock courtroom for a simulated hearing of one or more of the sample cases provided on Attachment 2. Point out that juvenile cases are heard in front of a single judge and not given over to a jury trial unless the juvenile is being tried as an adult. For the purpose of this simulation, however, you will appoint a panel of three or five judges who will hear the evidence and render independent decisions. Ask for volunteers, or appoint the necessary judges, defendant(s), defendant's (s') parents or guardians, and lawyers for the case. Tell students that these people will change for each case tried in the class- court.

2. Have the class help determine which of the cases provided on Attachment 2 they would like to try first. After the students have selected a case, review it to determine (or imagine, if necessary) the relevant facts so that a mock hearing can be simulated. Relevant facts should include such factors at the age of the defendant, the time of day of the delinquent act, the defendant's previous juvenile record, his or her home situation, peer group, school record, etc. Also relevant would be the quality of the evidence against the defendant, including the nature (age and condition) of the witness and the testimony of the arresting officer.

3. Allow the lawyers for the defense, the defendant(s), and the parents or guardians to meet and plan their arguments supporting acquittal. The prosecuting attorney and juvenile officers and/or caseworkers should meet to discuss their views on a proper resolution in the best interest of the defendant(s). The judges may meet for similar

purposes. The rest of the class can gather to review what they think should happen. Groups should use Handout 1 and be prepared to defend their positions on the cases.

4. Set up a mock hearing area in your classroom. Set the panel of judges in the center, facing the tables of the lawyers and the defendants. Ask one of the judges to read or review the case which will be presented. Have the defendant's lawyer present his or her arguments in favor of acquittal or leniency. Then ask the juvenile authority to present its view. Call any witnesses to the delinquent act and ask for the testimony of the arresting officer.

5. Conclude the mock hearing by having the panel of judges write down their judgments and recommendations for punishment. Review how this simulation differs from the real procedures carried out in a juvenile court.

EVALUATION:

- Observe the mock juvenile hearing simulations and check the results of the vocabulary quiz.

ENRICHMENT:

- Look for newspaper articles describing acts of vandalism. After collecting several articles, make a chart showing such information as the age and sex of the perpetrators, the time of day during which the act took place, the target of the vandalism, and the amount of damage. Have the students note commonalties and attempt to explain the reasons for any that are found. Take suggestions for preventing vandalism based on the information obtained about recent cases.

- Invite a juvenile court judge to the classroom to observe the hearing of one or more of the sample cases.

GEORGIA'S LAWS ON VANDALISM AND CRIMINAL MISCHIEF

O.C.G.A. 16-7-21 Criminal trespass

a) A person commits the offense of criminal trespass when he intentionally damages the property of another without his consent and the damages thereto are $500.00 or less, or knowingly and maliciously interferes with the possession or use of the property of another person without his consent.

b) A person commits the offense of criminal trespass when he knowingly and without authority :

1) Enters upon the land or premises of another person or into any part of vehicle, railroad car, aircraft, or watercraft of another for an unlawful purpose.

2) Enters upon the land or premises of another person or onto any part of a vehicle, railroad car, watercraft, or aircraft of another person after receiving, prior to such entry, notice from the owner, or rightful occupant that such entry is forbidden.

3) Remains upon the land or premises of another person or within any vehicle, watercraft, aircraft, or railroad car of another after receiving notice from the owner, or upon proper identification, an authorized representative of the owner, or rightful occupant, to depart.

O.C.G.A. 16-7-22. Criminal damage to property in the first degree.

a) A person commits the offense of criminal damage to property in the first degree when he:

1) Knowingly and without authority interferes with any property in a manner so as to endanger human life; or

2) Knowingly and without proper authority and by force or violence interferes with the operation of any system of public communication, public transportation sewage, drainage, water supply, gas, power, or any other public utility service or with any constituent property thereof.

b) A person convicted of the offense of criminal damage to property in the first degree shall be punished by imprisonment for not less than one year nor more than ten years (felony).

GEORGIA'S LAWS ON VANDALISM AND CRIMINAL MISCHIEF

O.C.G.A. 16-7-23 Criminal damage to property in the second degree.

a) A person commits the crime of criminal damage to property in the second degree when he:

   1) Intentionally damages any property of another person without his consent and the damages thereto exceed $500.00.

   2) Recklessly or intentionally, by means of fire or explosive, damages the property of another; or

   3) With the intent to cause damage, starts a fire on the property of another.

b) A person convicted of the crime of criminal damage in the second degree shall be punished by not less than one year nor more than five years (felony).

O.C.G.A. 16-7-24. Interference with government property.

a. A person commits the offense of interference with government property when he destroys, damages, or defaces government property and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years.

b. A person commits the offense of interference with government property when he forcibly interferes with or obstructs the passage into or from government property and, upon conviction thereof, shall be punished as for a misdemeanor.

O.C.G.A. 16-7-26. Vandalism to a place of worship

a. A person commits the offense of vandalism to a place of worship when he maliciously defaces or desecrates a church, synagogue, or other place of public religious worship.

b. A person convicted of the offense of vandalism to a place of worship shall be punished by imprisonment for not less than one year nor more than five years. (felony).

Attachment 1

LEGAL DEFINITIONS RELATED TO VANDALISM

Vandalism: The willful damage or destruction of private or public property.

Interference: The act of inhabiting or obstructing clear passage to or from an entrance (in this case a governmental building).

Government Property: Property owned by the people as a whole in any type of governmental agency.

Criminal Damage: The willful and knowing interference, or damage, resulting from force or violence with reckless intent.

First Degree: A higher and more severe crime than one of second or third degree.

Second Degree: A less severe crime than that of a first degree but more severe than a crime of third degree.

Reckless: An act whereby the perpetrator has no regard for the consequences.

Misdemeanor: A crime whereby the punishment shall not exceed imprisonment for more than twelve months.

Felony: A severe crime whereby the punishment exceeds one year. This crime in some cases may be punishable by imprisonment for life or a death sentence.

Deface: An act whereby the surface of an object is marred or disfigured,to impair its usefulness, or its value.

Forcibly: To use or act with a great deal of effort to accomplish the desired goal.

Attachment 2

SAMPLE VANDALISM CASES

Case number one: Jimmy Jones, a sixth grader, and his older friend were playing in the woods across from the school. Jimmy's friend said, "let's set this field on fire and watch the animals run away." The two boys set the woods on fire and the fire spread to a nearby retirement home. The retirement home caught on fire and the residents had to be evacuated. Has a vandalism crime been committed? If so, what? Cite the number and subtitle that defines it.

Case number two: Wendy and Shane decided to sneak into the nearby woods and try smoking some cigarettes Shane found on the way home from school. The cigarettes tasted terrible! The smoke made the youths cough and feel dizzy. After a few minutes Shane flicked his cigarette butt out into the underbrush. Wendy did the same, and the two walked out of the woods. Unfortunately, the still-lit cigarettes started a fire. Less than 30 minutes later the fire department trucks arrived to put out the blaze. A nearby resident observed the two youths and called the fire department. Has a crime of vandalism been committed? If so, what? Cite the number and subtitle to prove your argument.

Case number three: Billy Weston and his friends went to a friend's house. His parents were gone, so the guys thought it would be funny to flush a "cherry bomb" down the toilet. The toilet exploded and caused damages of over $1,500. Has a crime of vandalism been committed? If so, what? Which boy or boys are guilty? Why?

Case number four: Two hunters, while in the woods at their campsite, allowed their campfire to get out of control. The resulting fire spread to a nearby farm and burned down the farmer's barn. The damages that resulted from the fire totaled $8,000 because a new barn had to be built. Has a vandalism crime been committed? If so, what is your reasoning? Use Handout 1 to support your position.

Case number five: During an "away" basketball game, John, Jack, and Judy went into the hallway of the other team's school. They took spray paint and sprayed their team's slogan--"GO TROJANS" on the walls. Is this a case of vandalism? If so, what type? Use Handout 1 to support your opinion.

Case number six: A group of protesting college students blocked the entrance to the Psychology Building. They are asked to leave by the police, but they continue to prohibit people from entering or leaving. Is this a crime of vandalism? If so, what? Use Handout 1 to support your point of view.

Case number seven: Three altar boys, bored while rehearsing for a Christmas Mass, slip away from their adult leaders. They find some candles, take them to the choir robe closet, and light them. Hearing voices of the adult leaders calling for them, the boys hurriedly throw their candles down and leave the room. Minutes later, smoke alarms begin to sound. Fire has engulfed the entire closet. The cost to replace the robes is $6,500. Is this a crime of vandalism? Use Handout 1 to support your opinion.

Case number eight: Three teen-age girls enter the First Baptist Church at eleven o'clock on Tuesday night. They remove cans of paint from their backpacks and spray the pews with red spray paint. Also they write dirty words upon the door to the minister's study. Has a crime of vandalism been committed? Use Handout 1 to support your opinion.

Case number nine: Some local boys from the neighborhood climb up to the top of the water tower. They pry open the level cap and pour five gallons of gasoline into the water supply. Is this vandalism? If so, use Handout 1 to support your opinion.

Case number ten: A group of students are mad at a girl in their class, so they decide to "egg" her house. They go to the store and purchase two dozen eggs. Shortly after 10 p.m., the boys pelt the front of her house with the eggs. The father of the girl hires the mess cleaned up. The bill is $600. Is this a vandalism crime? Why? Use Handout 1 to support your opinion.

FIRST TIME OFFENDERS GET A BREAK

GRADE LEVEL: 6-7 **AUTHOR:** Tammy Lea

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Conditional discharge; trafficking; probation; controlled substance

MAIN IDEAS:

a. It is illegal to possess, distribute, sell, or traffic in illegal drugs and controlled substances without medical authorization.
b. Punishment for violators includes fines and/or imprisonment, but for first-time offenders there is an alternative called conditional discharge.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Questioning about controlled substances laws and conditional discharge
Discussing scenarios concerning controlled substances
Completing a conditional discharge quiz

OBJECTIVES:

The learner will:
--define probation, controlled substance, and trafficking.
--list examples of adult punishments for violating drug laws.
--explain the concept of conditional discharge.
--suggest alternative solutions for first-time offenders.

TEACHER BACKGROUND:

Except as authorized by a physician, pharmacist, or veterinarian, it is unlawful for any person to purchase, possess, or have under his control any controlled substance. A person who violates this code is guilty of a felony. Punishment is 2-15 years imprisonment for a first offense, and 5-30 years for repeat offenses.

It is unlawful for any person to manufacture, deliver, administer, sell, possess with intent to distribute, or have under his control any controlled substance, except as authorized by a physician, pharmacist, or veterinarian. A person who violates this code is guilty of a felony, and punishment is more severe. In this case, imprisonment is 5-30 years for the first offense, and life imprisonment for repeat offenses.

Any person who knowingly sells, manufactures, delivers, possesses, or brings into the state 28 grams or more of cocaine or of any mixture with a purity of 10% or more of cocaine is guilty of trafficking. This is also a felony offense, and punishment includes imprisonment for at least 10 years and a fine of at least $100,000.

Whenever any individual who has never been previously convicted of violating one of the above laws pleads guilty to any of the offenses listed above, the court may postpone judgment and place the individual on probation conditions which the court requires. The court may decide not to enter a judgment of guilty at this point, and the individual being tried must consent to postponement of judgment. The individual may be required to undergo a rehabilitation program, including medical treatment which cannot exceed three years, designed to teach the individual the effects of drug abuse and how to be a good member of society. Once the individual meets the requirements set by the court, the charges are dismissed. If the individual violates any of the conditions set by the court, the court may judge the person as guilty and proceed with sentencing.

Teachers should make students aware that the above penalties are adult penalties. Children or youths under 18 years old taken into custody for these acts appear before the juvenile court . If the child or youth is found to have committed the acts, the juvenile court judge determines the treatment. The degree of punishment depends largely on the severity of the crime and the child's record. For example, a first offender might receive court supervision (probation) for a year with conditions. A repeat offender could be committed to the Division of Youth Services who could, in turn, commit him or her to a Youth Development Center (YDC).

MATERIALS AND RESOURCES:

Handouts

1. Scenario Sheet
2. Conditional Discharge Quiz

PROCEDURES:

1. Using the Teacher Background, explain Georgia's laws regarding the possession, manufacture, and distribution of controlled substances and illegal drugs. Review the penalties for adults convicted of breaking one of these laws. Discuss how a juvenile might be treated if he or she is found to have broken one of these laws.

2. Explain to the students that there is a special way of treating first-time offenders called conditional discharge, which tries to rehabilitate the individual instead of putting the person in prison. Conditional discharge requires a postponement of judgment and the consent of the accused in order to be set. Also explain how a person is either dismissed or convicted. Using the Teacher Background, review the four conditions required before a conditional discharge can be made. These are: 1) first offense, 2) plea of guilty, 3) suspension of judgment by court, 4) consent to conditional discharge by offender.

3. Divide the class into small groups, and have them brainstorm and record reasons why conditional discharge could be preferable to imprisonment or fines for a first time offender. Some possible reasons include overcrowding in jails and prisons, and the health and well-being of the accused individual. Share the results of the small group brainstorming and affirm any correct or nearly correct answers.

4. Ask if any students can think of situations at home or school that are similar to conditional discharge for drug offenders. (For example: tutoring or summer school for poor grades instead of repeating a grade; counseling or alternative school instead of suspension or expulsion.)

5. Pass out the scenario sheet, Handout 1, to students. Ask for volunteer to read each scenario aloud. Ask individual students to provide answers to the questions found at the end of each scenario. Discuss answers where appropriate.

   Answers to scenarios
   1. All of these actions are illegal. The drug has been prescribed by the vet and is considered a controlled substance.
   2. No. If caught, John can be convicted for both trafficking and possession. If it is his first offense, he might qualify for conditional discharge.
   3. Yes, you would be breaking the law. Even though Susie's father is a doctor, he did not authorize you to have this drug by writing you a prescription. If she is under 18 years of age, Susie's case would be handled by a juvenile court judge.
   4. The conditions are: a) it must be Zelda's first offense; b) the judge must suspend judgment; c) Zelda must consent to conditional discharge; d) Zelda must plead guilty.

EVALUATION:

- Ask students to complete the lesson evaluation, Handout 2.

ENRICHMENT:

- Invite a juvenile court judge to come in and discuss the reasoning behind the treatment of first-time offenders. Ask the judge to relate specific cases of juveniles who have benefited from this alternative.

SCENARIO SHEET

DIRECTIONS: Read each situation, then answer the questions that follow.

1. Your dog was hit by a car. You take him to the vet. The vet gives you two powerful prescription drugs to ease your pet's pain and keep him calm while he gets well. You recognize the generic name of the tranquilizing drug. Is it legal for you to take this drug yourself? Is it legal for you to sell this drug to a friend? Why or why not?

2. John Doe, age 18, lives in Florida. When he comes to Georgia to visit his friend, Fred, he brings 30 grams of cocaine along with him for his own personal use. Is this legal? If not, what has John done that is illegal? Would John qualify for conditional discharge?

3. Your friend Susie's father is a doctor and his office is connected to their house. While visiting Susie one day, she takes you into her father's office where he keeps his medicine and offers to give you a drug which will "make you feel really good." Would you be breaking any law if you accepted? Why or why not? If caught, would Susie qualify for a first time offender's break?

4. Zelda has been arrested for having a bag of marijuana in her purse. Zelda's lawyer would like for her to be released on conditional discharge. What four conditions must be met in order for this to happen?

CONDITIONAL DISCHARGE QUIZ

NAME_____________________

DIRECTIONS: Answer the following questions about drug-related laws and first-time offenders.

1. An example of trafficking is:
    a. stopping your bike in the middle of traffic.
    b. bringing cocaine into the state of Georgia.
    c. playing in traffic.

2. A controlled substance is...
    a. a drug that requires medical authorization for legal use, distribution, and possession.
    b. a substance that your parents must give permission to use.
    c. a substance that causes an individual to fall into a trance.

3. Two types of punishment for drug offenders are fines and imprisonment.

    True False

4. If an accused drug offender is placed on probation and violates the conditions set by the court, the person is automatically found guilty of breaking a drug-related law.

    True False

5. As a condition of probation for a first-time drug offender, the judge can order the individual to enter a four-year treatment program for rehabilitation.

    True False

6. List the four conditions required before a conditional discharge for a drug offender is made:

    a. ____
    b. ____
    c. ____
    d. ____

I DIDN'T THINK I'D GET CAUGHT!

GRADE LEVEL: 6-7 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Court procedures; intake; detention hearing; informal adjustment; formal hearing; Miranda Warning; custody; adjudicatory hearing; disposition hearing; treatment choices; restitution; probation; community service

MAIN IDEAS:

a. The juvenile justice system follows a sequence of steps when a child is taken into custody and charged with a delinquent act.
b. Juveniles have certain constitutional rights.
c. The possible outcomes in a juvenile hearing include release, probation, or commitment to the State Division of Youth Services.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people.

Skills

6-16. Works within a group, following set rules of procedure, to complete an assigned task.
7-23. Evaluates the reliability of information gathered.

INSTRUCTIONAL STRATEGIES:

Role playing juvenile shoplifting
Directed reading on juvenile court hearing procedures
Scripted mock juvenile court hearing
Discussing juvenile court procedures

OBJECTIVES:

The learner will:
--explain the basic steps involved in the juvenile court process.
--identify a juvenile's constitutional rights when taken into custody.
--identify the possible outcomes in a juvenile hearing.

TEACHER BACKGROUND:

Juveniles have not always been treated differently from adults in the criminal justice process. Before the early 1800s, everyone, regardless of age, was treated and jailed in the same way. The first juvenile court in the United States was established in Chicago in 1899. In 1906, the Georgia Legislature set up legal grounds for a children's court in Georgia. The first children's court was established in Fulton County in 1911.

Juvenile courts hear all cases involving minors under the age of 18 who are charged with delinquent or unruly acts. Delinquent acts would be crimes if committed by adults. Unruly acts are termed "status offenses" because such acts are only against the law due to the young person's age status. Examples of status offenses are truancy, running away, and not obeying parents. Juvenile courts also hear traffic cases for drivers under the age of 18 and cases of children under the age of 18 who are said to be deprived, neglected, and/or abused, in need of treatment (such as a mentally ill child).

A child aged 13 through 17 who commits a capital offense (e.g., murder, kidnapping, rape, armed robbery, a second-offense-burglary, arson, or aggravated assault) can be waived (transferred) to an adult court. A child under 13, charged with such an offense will be handled in the juvenile court.

Additional information on the juvenile justice process is explained in the procedures.

MATERIALS AND RESOURCES:

Handouts

1. Shoplifting Skit
2. Flow Chart of the Juvenile Justice Process in Georgia
3. Case Histories
4. Petition for Juvenile Court Hearing
5. Mock Juvenile Court Adjudicatory Hearing
6. Disposition Hearing Procedures
7. "Check-up" Evaluation

Attachments

1. Juvenile Court Procedures Game Instructions for Teachers
2. Juvenile Court Procedures Game Directions for Players
3. Juvenile Court Procedures Game Question Cards
4. Juvenile Court Procedures Game Penalty Cards
5. Juvenile Court Procedures Game Answer Key
6. Juvenile Court Procedures Game Playing Board

Tape recorder; props for mock juvenile hearing

Optional Resource:
What's Going to Happen to Me? A Look at the Juvenile Court in Georgia. Videotape. Available from the Carl Vinson Institute of Government, The University of Georgia, 201 N. Milledge Ave., Athens, GA 30602

PROCEDURES:

Period One

1. Ask the class if they know what would happen if one of them got caught shoplifting. (Let students tell what they think.) Tell the students they will learn what happens when a juvenile gets in trouble with the law in this lesson.

   Distribute Handout 1, and ask the students to read it silently. After a few moments, ask for volunteers to play the skit characters Terry A., Lee B., and Jo C., and the sales

221

clerk. Let the characters read and act out their roles. Then ask, "Now that you've been caught, what's going to happen?" Let the class guess what would happen to these juveniles.

2. Distribute, read, and review Handout 2, "Flow Chart of the Juvenile Justice Process." In addition, share information from the Teacher Background on the development of the juvenile justice court system. Emphasize that the courts in Georgia handle juvenile cases according to the guidelines and steps shown on the flow chart.

   Remind students that in the role play the students were caught by the store clerk, and the police were called. Ask the students, "What was the delinquent act or unruly offense?" (Shoplifting.) The students may wonder about Lee B., who didn't take anything. But he/she was a party to the delinquent act by distracting the store clerk.

   Ask the students, "What did the police do to the shoplifters?" They will probably respond, "Arrested them." Explain to students that in the juvenile justice system, an arrest is referred to as "taken into custody." Tell the students that after children are taken into custody, their parents must be notified, and an intake officer from juvenile court must be called.

   Explain also that after being taken into custody and before being questioned by the police, the juveniles are entitled to have their rights read to them. These rights are called the Miranda Warning. This warning says that the accused has the right to remain silent, and that anything said may be used against him/her in a court proceeding. He or she also has the right to the advice of an attorney, and the right to a court-appointed attorney if he/she cannot afford to hire one.

3. Point out that intake is the first step in the juvenile justice process. During intake, the intake officer will gather information about the charges and the child's background. Distribute the Case Histories, Handout 3, and have the students read them silently.

   Explain that two important decisions must be made by the intake officer within 72 hours of a child's being taken into custody. The first decision is whether there is enough evidence to support the charges made. (Ask the students if they think enough evidence is provided in the skit and discuss the effect of having witnesses for such a case.) Point out that if the evidence is insufficient, the juveniles would be released to their parents or guardians.

   If there is sufficient evidence for a charge, the second decision is whether the juvenile should be detained until there can be a detention hearing before the judge. Ask students why and where a juvenile may be detained until a hearing is held. Explain that a juvenile may be detained because he is likely to hurt himself or others, or does not have any place to go. If it is a delinquent case, the juvenile will probably be detained at a Regional Youth Detention Center. Ask: On the basis of their case histories, would any of the students in the scenario be detained? (No.)

4. If there is a detention hearing, which must be within 72 hours after original detention, the judge decides whether it is in best interest of the child to proceed to a formal hearing. In this case, a formal petition must be filed with the court.

   The judge also must decide if child should be detained until this formal hearing. The child has a right to bail unless a he or she is a danger to community.

If there is not a detention hearing, the court will decide whether to file a formal petition or to use an informal adjustment.

5. An alternative to the formal hearing is an informal adjustment. An intake worker would recommend this if it were a first offense, if the child admitted to the act, and if the offense were a minor one. For an informal adjustment, the child usually must have a good record at school. Under an informal adjustment, the child is under supervision of the court for three months. (This can be extended three months more.) The court can require conditions (as in probation) such as school attendance, special programs, and counseling.

   Have students re-examine the case histories. Would any of the students be eligible for an informal adjustment? (Jo C. might be if he/she admitted wrongdoing.)

6. Remind students that for a formal hearing to take place, a petition must be filed. Distribute copies of the juvenile court petition, Handout 4, and discuss how it might be completed for Terry A or Lee B.

Period Two

1. Set up the room like a courtroom with judge's bench, witness chair, and tables or a row of chairs for the prosecution and defense. Explain that a formal juvenile court hearing has two parts: ADJUDICATORY--in which the judge determines whether the youth has committed the delinquent or unruly act as charged, and DISPOSITION--in which the judge determines what treatment should be given to a youth adjudicated to have committed the act charged.

   Explain that the students are going to present a mock juvenile court adjudicatory hearing that will be similar to a real hearing. Assign parts: judge, bailiff, defense and prosecution attorneys, Mr. Blue, and the three defendants. (You could also have a court recorder who could record the proceedings on a tape recorder.)

2. Have the skit actors take their positions and distribute the script for the mock hearing, Handout 5. (Note: You may wish to have the entire class read through the script silently before the students involved in the mock hearing read their parts aloud. In addition, testimony may be expanded if desired.)

3. After the hearing, debrief the experience with the class using the following questions:

   a. Was the outcome fair?
   b. Should the youths have pled guilty?
   c. What other testimony might the defense or prosecution have presented?
   d. What rights do the youths clearly have? (They have the right to: be notified of charges against them, to have the advice of an attorney, to be silent, to call witnesses, to cross examine witnesses, to a record of the hearing, and to an appeal.)

4. After students have finished the mock adjudicatory hearing, hold a mock disposition hearing. Handout 6, Disposition Hearing Procedures, describes the general steps to follow. Take the role of judge yourself, and assign students to the other parts: attorneys, parents, children, intake officer, and other witnesses, if desired. All testimony should stick to the information provided in the case histories and adjudicatory hearing, although supporting details can be added.

After testimonies are heard, the remainder of class should decide on the disposition (treatment) the judge should recommend for each child. (In reality, all these children would probably receive probation, so recommendations should focus on what probation conditions should be made.)

Discuss the decisions and review the process. Do the students seem to think it is fair? Is this an effective way to deal with juvenile crime?

Period Three

1. Play the Juvenile Court Procedures Game provided in Attachments 1-6 as a review before evaluation.

EVALUATION:

- Distribute Handout 7, Check-Up Evaluation, to assess the students' understanding of this lesson.

Answer Key for the Check-Up Evaluation

1. Delinquent acts, which would be crimes if the offender were an adult, and unruly acts or status offenses, which are only against the law due to the young person's age.
2. The intake officer gathers information about the charges and the youth's background. The intake officer decides, within 72 hours, if there is sufficient evidence to support the charges and whether the youth should be detained or released to a parent or guardian.
3. The Constitutional rights given to the youth in the Miranda Warning are: a) the right to remain silent, b) the right to the advise of an attorney, and c) the right to a court-appointed attorney if the youth's family cannot afford to hire one.
4. Parents must be notified as soon as the child is taken into custody.
5. It is decided whether the juvenile should be detained in custody or released to a parent or guardian.
6. An informal adjustment is an alternative to the formal adjudicatory and dispositional hearings. An informal adjustment avoids these hearings and results in a period of court supervision for three months with conditions such as good school attendance, counseling, or special programs. An intake worker would recommend an informal adjustment if the offense were a minor one, it was the youth's first offense, and he or she admitted to the act.
7. Two parts: adjudicatory and disposition.
8. The alternatives are: a) release to parents; b) probation with various requirements; and c) commitment to Youth Development Center.

ENRICHMENT:

- Have a juvenile court judge visit class and talk about several typical cases.

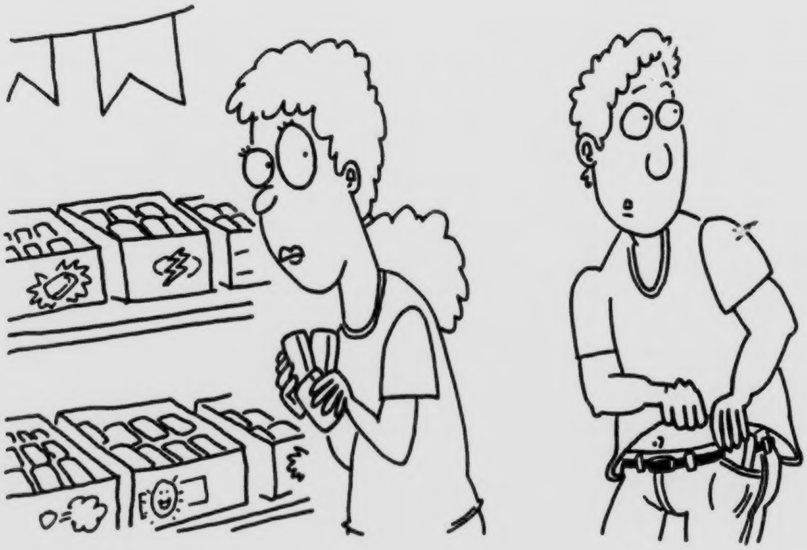
SHOPLIFTING SKIT

Terry A., Lee B., and Jo C., approach the convenience store that they pass every day on the way home from school. Terry says to the others: "Let's go take some candy, and let's get enough so we can sell some of it and make a little money." Terry, Lee, and Jo discuss different ways to steal the candy and finally decide that Lee will distract the sales clerk while Terry and Jo take the candy.

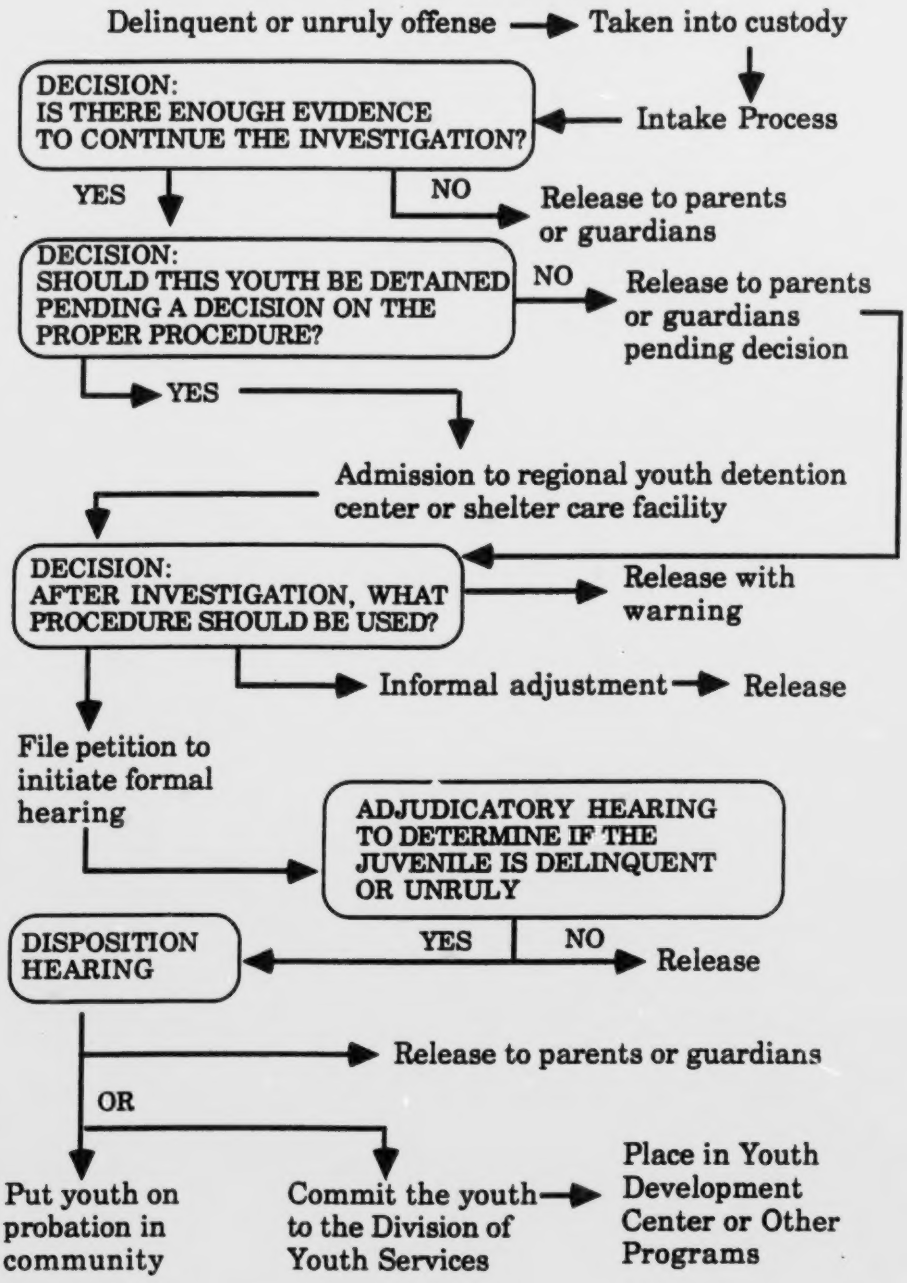
Terry and Jo follow Lee into the store. Lee begins talking to the sales clerk, asking questions about the prices of items behind the counter. Terry and Jo go to the candy and gum section. They begin to fill their pockets with candy and gum.

Suddenly the sales clerk turns his attention toward Terry and Jo. He sees them putting the candy and gum into their pockets, and yells, "Hey! What are you kids doing over there?"

Terry, Jo, and Lee become frightened and attempt to run. The sales clerk catches all three students outside in the parking lot and brings them back inside the store. He calls the police and takes them into his office to wait for the police. The value of the merchandise taken is $15.96.



FLOW CHART OF THE JUVENILE JUSTICE PROCESS IN GEORGIA


Delinquent or unruly offense
Taken into custody
Intake Process
DECISION: IS THERE ENOUGH EVIDENCE TO CONTINUE THE INVESTIGATION?
YES
NO
Release to parents or guardians
DECISION: SHOULD THIS YOUTH BE DETAINED PENDING A DECISION ON THE PROPER PROCEDURE?
NO
Release to parents or guardians pending decision
YES
Admission to regional youth detention center or shelter care facility
DECISION: AFTER INVESTIGATION, WHAT PROCEDURE SHOULD BE USED?
Release with warning
Informal adjustment
Release
File petition to initiate formal hearing
ADJUDICATORY HEARING TO DETERMINE IF THE JUVENILE IS DELINQUENT OR UNRULY
DISPOSITION HEARING
YES
NO
Release
Release to parents or guardians
OR
Put youth on probation in community
Commit the youth to the Division of Youth Services
Place in Youth Development Center or Other Programs

CASE HISTORIES

Terry A. has been to juvenile court twice before--once for shoplifting (informal adjustment) and once for vandalism. Terry is irregular in school attendance and is barely making C's. Terry's parents both work and are very busy.

Lee B. has been in trouble once for a status offense--running away from home. Lee is unhappy at home and doesn't get along well with his parents or sisters. Lee B. gets by in school and is good in art.

Jo C. has never been in trouble before. Jo has just moved to the school and is having trouble finding friends. Jo's parents are recently divorced.

Handout 4

PETITION FOR JUVENILE COURT HEARING

PETITION
(DELINQUENT/UNRULY)
IN THE JUVENILE COURT OF
________________ COUNTY, GEORGIA

In the interest of
____________________,
A Child.

CASE # ____________
FILE # ____________
SEX ____________
DOB ________ AGE ______

TO THE JUVENILE COURT OF ________________ COUNTY, GEORGIA:

1. Your petitioner alleges the child named above to be of the sex and age and to have the name there set forth; that the father of said child is ________________ who resides at ____________, the mother is ____________, who resides at ________________; said child resides at ________________ (Address), in said county and state, and is in the custody and control of ____________ (Name) who resides at said place; that the said child is subject to the jurisdiction of this Court.

2. That the within petition is filed in the best interest of the public and the within named child.

3. That said child has violated the section of the code cited below and is a delinquent/unruly child by reason of the facts set forth below:

A.

4. That said child is in need of supervision, treatment or rehabilitation. That said child is/is not currently in detention in the ________________ Center, having been placed there at ____________ on ____________, 19____.

Petitioner prays that process issue, directed to the parties hereto, requiring them to show cause why said child should not be dealt with according to law.

____
(Petitioner)

Subscribed and sworn to before me, on information and belief, this ____ day of ____________, 19____.

____
(Attesting Officer)

The above petition is approved to be filed in the best interest of the public and the named child

This ____________ day of ____________, 19____.

____
(Court Designee)

PETITION FOR JUVENILE COURT HEARING

ORDER OF DISMISSAL

The foregoing petition having come before me for consideration, and is hereby dismissed for the following reason(s):

____

____

This ________ day of ________________, 19____

ORDER OF WITHDRAWAL

The foregoing petition having come before me for consideration, it is hereby found that withdrawal of the petition is in the best interest of the public and the child and the petition is withdrawn.

This ________ day of ________________, 19____

____
(Judge/Referee ____________ County Juvenile Court)

ADMISSION/DENIAL

After having been fully advised of my right to remain silent and my right to have legal counsel, I, ______________________, hereby admit/deny the allegations contained in this petition.

This ________ day of ________________, 19____

____
(Attorney's Signature)

____
(Child's Signature)

____
(Parent or Guardian's Signature)

ORDER OF ADJUDICATION

The foregoing petition having come on before me for hearing and consideration, it is hereby found that the allegations of the petition are true, that the acts ascribed to said child were, in fact, committed by said child, and that such acts constitute acts of delinquency (felony/misd.)/unruliness within the meaning of the law.

It is further found upon hearing the evidence that said child is in need of treatment or rehabilitation (and/or supervision) as a delinquent/unruly child. Said child is hereby ordered released into the custody of __________ held in custody until further order of this court.

This the ________ day of ________________, 19____

____
(Judge/Referee ____________ County Juvenile Court)

Approved and confirmed

This the ________ day of ________________, 19____

____
(Judge/Referee ____________ County Juvenile Court)

Handout 5

MOCK JUVENILE COURT ADJUDICATORY HEARING

BAILIFF:	All rise. (Everyone does. Judge enters and takes seat.) The Juvenile Court of_________ County, Georgia is now in session, Judge ________________ presiding.
JUDGE:	You may be seated. The state may present its first case.
PROSECUTING ATTORNEY:	These are petitions 3333, 3334, and 3335 entered against the following juveniles: Terry A. of Sunrise Road in this county; Lee B. of 88 Third Street in this county; and Jo C. of 89 Oglethorpe Drive in this county. These juveniles are charged with having entered the grocery store of Mr. Blue and committing the delinquent act of theft by taking of $15.96 worth of candy and chewing gum.
JUDGE:	Terry A., Lee B., and Jo C., you have heard the charges against you. How will you plead to these charges? You may admit the charges or you may deny them.
DEFENSE ATTORNEY:	My clients, Terry A., Lee B., and Jo C., deny the charges against them.
JUDGE:	Terry A., Lee B., and Jo C., your attorney will have advised you that you have certain rights. You have the right to remain silent. The court cannot assume that your silence is an admission of guilt. If you start to make a statement and at any time wish to stop, you may do so. You have the right to call witnesses. You and your attorney have the right to cross-examine witnesses after they have given testimony. Please indicate through your attorney that you understand these rights.
DEFENSE ATTORNEY:	My clients, Terry A., Lee B., and Jo C., understand these rights, Your Honor.
JUDGE:	Mr. Randolph, (Prosecuting Attorney) you may call your first witness.
PROSECUTING ATTORNEY:	The state calls Mr. Blue, the store clerk.
	(Bailiff escorts Mr. Blue to the stand.)
BAILIFF:	Raise your right hand. Do you swear to tell the whole truth and nothing but the truth, so help you God?
MR. BLUE:	I do.
PROSECUTING ATTORNEY:	Mr. Blue, have you seen students Terry A., Lee B., and Jo C. before?
MR. BLUE:	Yes, sir. On October 8, about 3:30, I was in the store when these three youths came in. The one called Lee B. came up to the counter where I was and started asking the prices of items behind the counter. While I was talking to him, I looked up and observed that the other two filling their pockets with candy and gum.
PROSECUTING ATTORNEY:	Then what did you do?
MR. BLUE:	I yelled out, "What are you kids doing over there?" At that time, all three ran out of the store. I ran after them and caught them in the parking lot. I took them back inside the store and called the police.

PROSECUTING ATTORNEY:	I have no further questions.
JUDGE: (to defense attorney)	You may cross-examine.
DEFENSE ATTORNEY:	Mr. Blue, you can't really be positive that these are the youths that you saw in your store!
MR. BLUE:	Yes, I am positive.
DEFENSE ATTORNEY:	But you were standing fairly far away from them, weren't you?
MR. BLUE:	No, I would say that I was only about 5 or 6 feet away. Then I caught them in the parking lot.
DEFENSE ATTORNEY:	But, it was getting dark. The light was poor in the parking lot wasn't it?
MR. BLUE:	I saw them well enough.
DEFENSE ATTORNEY:	No further questions.
JUDGE: (to prosecuting attorney)	Do you have other questions of this witness?
PROSECUTING ATTORNEY:	No, your honor. The prosecution rests.
JUDGE: (to the defense attorney)	You may present your case.
DEFENSE ATTORNEY:	I call Terry A. to the stand.
	(Bailiff escorts Terry A. to the stand.)
BAILIFF:	Raise your right hand. Do you swear to tell the whole truth and nothing but the truth so help you God?
TERRY A.:	I do.
DEFENSE ATTORNEY:	Please tell the court what happened in the grocery store.
TERRY A.:	It was just a joke! We did put the candy in our pockets, but we were going to put it back. It was just a joke.
DEFENSE ATTORNEY:	I have no more questions of this witness.
JUDGE: (to prosecuting attorney)	You may cross-examine.
PROSECUTING ATTORNEY:	Terry A., isn't it true that when you were searched, that none of you had enough money to pay for the candy and gum taken?
TERRY A.:	Yes, but I thought I had more money with me. I forgot that I left it at home.

JUDGE:	You may step down.
DEFENSE ATTORNEY:	I call Lee B. to the stand.
	(Bailiff escorts Lee B. to the stand.)
BAILIFF:	Raise your right hand. Do you swear to tell the whole truth and nothing but the truth so help you God?
LEE B.:	I do.
DEFENSE ATTORNEY:	Please tell the court what happened in the grocery store.
LEE B.:	I didn't do anything. All I did was talk to Mr. Blue. I didn't take any candy or gum.
DEFENSE ATTORNEY:	I have no more questions of this witness.
JUDGE: (to prosecuting attorney)	You may cross-examine.
PROSECUTING ATTORNEY:	I have no further questions, your honor.
JUDGE:	The witness may step down.
DEFENSE ATTORNEY:	I call Jo C. to the stand.
	(Bailiff escorts Jo C. to the stand.)
BAILIFF:	Raise your right hand. Do you swear to tell the whole truth and nothing but the truth so help you God?
JO C.:	I do.
DEFENSE ATTORNEY:	Please tell the court what happened in the grocery store.
JO C.:	It was a joke, just like Terry said. We would have paid for the stuff.
DEFENSE ATTORNEY:	I have no more questions of this witness.
JUDGE: (to prosecuting attorney)	You may cross-examine.
PROSECUTING ATTORNEY:	Wasn't it true that you plotted with Terry A. and Lee B. to steal candy and gum?
JO C.:	No! It was just a joke! We never intended to steal anything.
PROSECUTING ATTORNEY:	I have no further questions, your honor.
JUDGE:	The witness may step down.
JUDGE:	Does anyone else wish to address the court? (No one does.)
JUDGE:	I've heard the testimony in this case and, based on what I've heard, I find that Terry A., Lee B., and Jo C. did commit the delinquent acts as charged and do, therefore, adjudicate them as delinquents.

DISPOSITION HEARING PROCEDURES

1. Judge calls on the intake officer for case histories of the youths.
2. Intake officer presents case histories.
3. The judge asks the parents for any information they would like to give in regard to their children.
4. The judge questions the youths about their actions and case histories.
5. Other witnesses may be called.
6. The attorneys make statements.
7. The judge determines what treatment would be in best interest of each youth. (Purpose of juvenile court is to do what is in best interest of the youth with consideration of best interest of society.)

OPTIONS FOR JUDGE:

- Release to parents
- Probation
    - -report to probation officer
    - -school attendance
    - -curfew
    - -no drug or alcohol use
    - -community service
    - -restitution
    - -special education programs
    - -counseling
    - -suspension of driver's license
- Commitment to Youth Services Division which determines treatment. Treatment can be release to parents, intensive supervision, day programs, special residential centers, or Youth Development Centers.

CHECK-UP EVALUATION

1. For what two types or categories of acts may a juvenile be taken into custody?

____

____

2. What does an intake officer do?

____

____

3. What rights (from Constitution) are given a juvenile in the Miranda Warning?

A. ____
B. ____
C. ____

4. When should a parent be notified that his child has been taken into custody?

____

5. What is decided at a detention hearing?

____

____

6. What is an informal adjustment?

____

____

7. How many parts does a formal hearing have? What are they?

____

____

8. What are some alternatives for a delinquent juvenile in a dispositional hearing?

____

____

Attachment 1

JUVENILE COURT PROCEDURES GAME

Instructions for Teachers

The Juvenile Court Procedures Game may be used as an enrichment activity or as a review before evaluation.

Divide the class into small groups of three to five students for game play. The game requires two or more players and a score keeper. Players may play individually or teams may be used. You will need one set of directions for players, one game board, one set of question cards, one set of penalty cards, one die, and markers for each group (see Attachments 2-6). Checkers or coins may be used as markers. The score keeper from each group should receive the directions and answer key for the question cards. You may wish to have students review their notes before playing or you may allow them to use their notes while playing. If so, you may wish to set a time limit for each player's turn.

Note: You may wish to duplicate question cards on one color and penalty cards on another color paper.

Attachment 2

JUVENILE COURT PROCEDURES GAME

Directions for Players

The score keeper shuffles the Question Cards and Penalty Cards separately and places them face down in separate stacks.

Each player or team places a marker on START on the game board and rolls the die to determine who begins the game. The player who rolls the highest number plays first. Play proceeds clockwise among the players.

The first player rolls the die and moves the number of spaces indicated on the die and draws a Question Card or Penalty Card. White spaces are Question Card spaces and black spaces are Penalty Card spaces. If a Question Card, the player must read the question aloud and answer it correctly OR return the marker to the space occupied before the roll of the die. The score keeper decides if the player's (or team's) answer is correct. If a Penalty Card is drawn, the player must read the card aloud and do what the card says. The first player to reach FINISH wins the game.

Notes and Warnings: Two players may occupy the same space. All questions are not equal; some are harder than others.

Attachment 3

COURT PROCEDURES/DISPOSITIONS GAME
QUESTION CARDS

1. When was the first Juvenile Court in the United States established?

2. In what city in the United States was the first Juvenile Court established?

3. Who set up legal grounds for a Children's Court in Georgia?

4. When did the Georgia Legislature set up legal grounds for a Children's Court?

5. Where was the first Children's Court in Georgia established?

[illegible] [illegible]hen was the first [illegible]dren's Court in Georgia established?

7. What cases are heard in Juvenile Courts?

8. Under Georgia law, up to what age is a child not held accountable by the Juvenile Courts for criminal acts?

9. Under Georgia law, at what age could a child who commits a capital crime be transferred to the adult court?

10. Where are children aged 13 through 16 who commit criminal acts tried?

11. Give two reasons why a police officer may take a juvenile into custody.

12. Before a juvenile is taken into custody and questioned, what warning must the officer give?

13. Give three warnings included in the Miranda Act.

14. After a youth is taken into custody and brought in by a police officer, which official of the juvenile court will be seen first?

Attachment 3 ctd.

15. What two decisions must be made by the intake officer within 72 hours of a child's being taken into custody?

16. After an initial detention, who makes a decision about further detention until a formal hearing?

17. What happens to the youth if detention is not necessary?

18. When a youth is taken into custody, who must be notified?

19. What happens to a youth charged with delinquent acts?

20. What determines where a youth under investigation will be detained?

21. Why does an intake officer continue the investigation of the youth after the decision on detention has been made?

22. What happens when the intake officer shows that evidence against the youth is really not sufficient?

23. Name three things a delinquent or unruly youth can be required to do.

24. What must be done before a youth receives a formal hearing?

25. When might an intake worker recommend an informal adjustment?

26. Name the two parts of a formal juvenile court hearing.

27. What happens during a juvenile court adjudicatory hearing?

28. What happens during a juvenile court disposition?

29. Define a delinquent act.

30. Define unruly acts and give an example.

JUVENILE COURT GAME PENALTY CARDS

You have been found to be delinquent and unruly. Miss one turn.

You were caught shoplifting. Go back to START.

You were apprehended stealing a car. Miss two turns.

You were taken into custody for shoplifting, but the officer forgot to give you the Miranda warning before questioning. Stay where you are.

You are a minor taken into custody, but the officer forgot to inform your parents. Stay where you are.

Your disposition hearing is over. The judge sentenced you to return to START.

The judge found you innocent. Take another turn.

You must do community service. Give your next turn to another player.

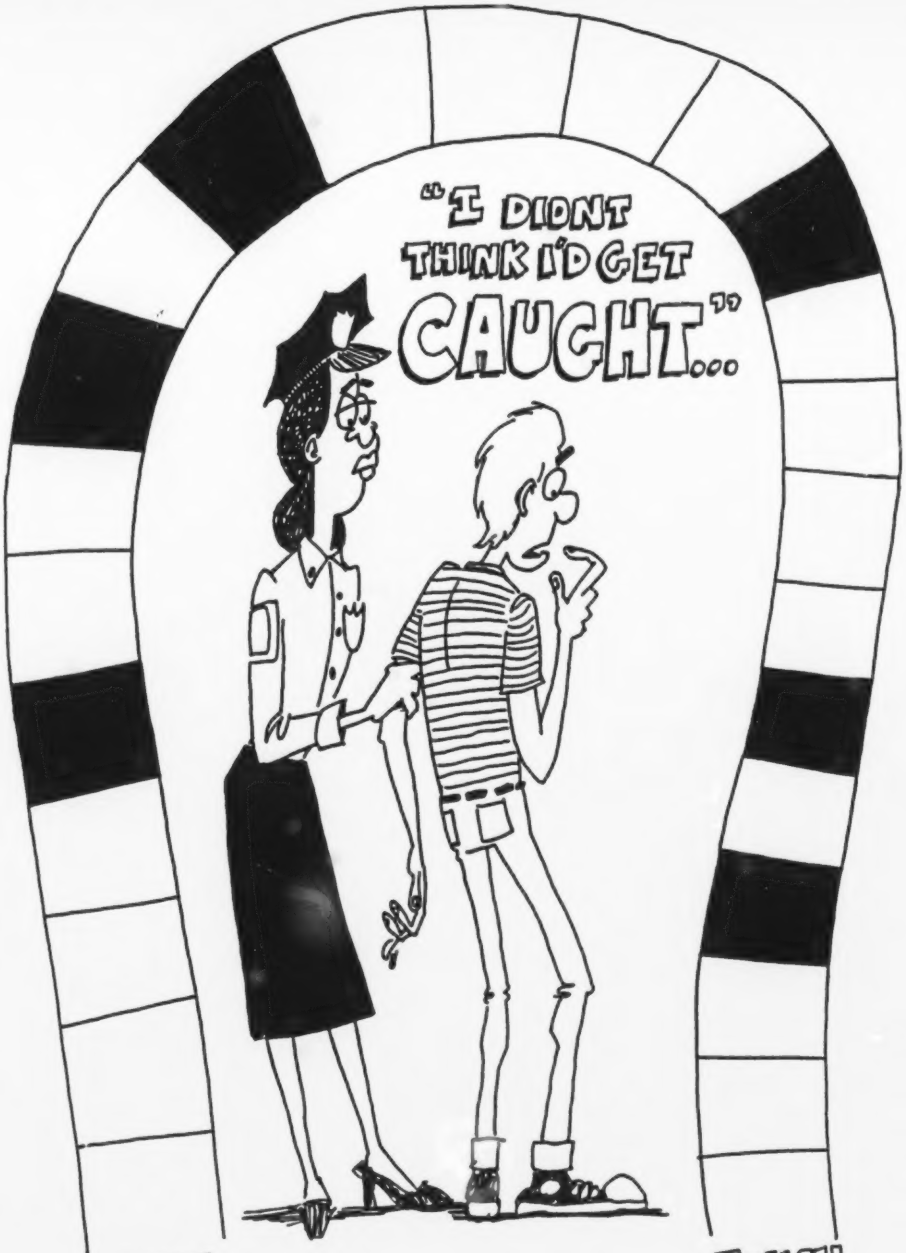
You were found guilty of a delinquent act. Move back two spaces.

JUVENILE COURT GAME ANSWER KEY

1. 1899
2. Chicago
3. Georgia Legislature
4. 1906
5. Fulton County
6. 1911
7. All cases involving minors under the age of 18
8. Under the age of 13
9. Ages 13 through 16
10. Juvenile court
11. The officer observed the minor's illegal act; a crime has been committed and the officer has reasonable cause to believe it was done by the minor; an order has been issued by the court to take the minor into custody.
12. The Miranda Warning
13. Information about the accusation against the minor; the right to remain silent; the fact that anything said may be used against him/her in a court proceeding; the right to the advice of an attorney and the right to a court-appointed attorney if she/he cannot afford to hire one; the minor's parent or guardian must be informed that the young person has been taken into custody and given the reason why.
14. A youth is turned over to an intake officer of the juvenile court.
15. Whether there is enough evidence to support the charges made; and if there is enough evidence for a charge, should the juvenile be detained until there can be a detention hearing before the judge.
16. The judge
17. The youth may be released to parents or guardians.
18. Parents or guardians
19. He/she is placed in local detention center or taken to a shelter care facility.
20. Where a youth will be detained depends on the offense.
21. To find out about the juvenile's background and present status in order to determine what is best for the child and for society as a whole.
22. The youth is released from the court's jurisdiction.
23. Attend school on a regular basis, pay for damage caused by his/her behavior, do some work for a charity group or for the county.
24. A formal petition must be filed.
25. For a first offense, if the child admitted to the act , if the offense were minor, and if the child has a good school record.
26. Adjudicatory and disposition
27. The judge determines whether the child committed the delinquent or unruly acts as charged.
28. The judge determines what treatment should be given to a youth adjudicated to have committed the act charged.
29. A delinquent act would be a crime if committed by an adult.
30. An unruly act is a status offense; it is an offense against the law because of the person's age. Examples are truancy, running away, and disobeying parents.

Attachment 6

JUVENILE COURT PROCEDURES GAME BOARD


"I DIDNT THINK I'D GET CAUGHT..."
START
FINISH

CHILDREN AT WORK! PAST AND PRESENT

GRADE LEVEL: 6-7 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Child labor; legal protection; early child labor practices; present-day child labor practices

MAIN IDEAS:

a. The working conditions for children in the 18th, 19th, and early 20th century generally were damaging to children's health, safety, and development, and deprived them of opportunities for education.
b. The laws that now regulate the working conditions of minors resulted from efforts to correct these abuses.
c. Current Georgia laws regulate hours, place, and certain conditions of work for minors to protect children's well-being.

QCC CORRELATION:

Content

6-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people
7-9. Explains how people in all economic systems engage in certain basic economic activities (e.g., producing, exchanging, consuming, saving, and investing)

Skills

6-5. Develops and interprets charts, tables, timelines, graphs, diagrams and other graphic aids
7-8. Analyzes artifacts related to specific regions and cultures

INSTRUCTIONAL STRATEGIES:

Discussing significance of historical photos
Writing stories based on photos and other research
Discussing and summarizing child labor laws
Making a chart of past and present child labor practices

OBJECTIVES:

The learner will:
--describe conditions affecting child labor in the early 1900s.
--cite present government employment laws that protect minors.
--explain reasons for laws regulating child labor.

TEACHER BACKGROUND:

The Industrial Revolution of the 18th-19th centuries brought with it concerns about children hired to work in its factories. It was not that children had not worked before in family businesses, on farms, as apprentices to crafts, etc., but conditions were very poor for children in many industries. Businessmen in Great Britain, the United States, and other countries hired young children because they could pay them even less than the low wages they gave to adults. Many children were under 10 years old, and some were only 5 or 6. Children often worked in mines or with dangerous machines in factories. Some toiled as long as 16 hours a day.

The need for regulating child labor began to develop into an important social issue during the 1800s. In 1836, Massachusetts passed the first state child labor law in the United States. The law prohibited the employment of children under 15 in any factory unless the children had attended school for at least three months during the preceding year. By 1860, a few states had outlawed factory employment of children under 10 to 12 years of age.

In 1900, the Census revealed that 25% of all southern mill workers were children between the ages of 10 and 16. The National Child Labor Committee (NCLC), a public interest group that started in New York City in 1904 in opposition to child labor, found a strong voice. The NCLC began its investigations with child labor conditions in coal mines, capitalizing on the public concern raised during the nationwide coal mine strike of 1902. In 1908, the NCLC hired Lewis H. Hines to investigate and to photograph the conditions of working children. Some of his photographs are provided for this lesson.

Although several attempts were made to pass federal legislation to regulate the work of minors, it was not until the Fair Standards Act of 1938 that there was a national law regulating hours and wages of minors. Major opponents of such laws were parents and businesses. Today, not only the federal government, but all 50 states, the District of Columbia, and Puerto Rico have child labor laws that regulate the employment of children.

Note: This lesson focuses on children's working in factories and businesses and the laws enacted to protect them. It should not be forgotten that children have always worked in agriculture, family businesses, and domestic service both here and around the world with varying levels of protection.

MATERIALS AND RESOURCES:

Handouts

1. Photographs of Child Laborers Circa 1910 (5 pages)
2. Georgia Laws and Rules Regulating Employment of Children (2 pages)

PROCEDURES:

Period One

1. Ask the students if any of them are employed outside the home. Survey to determine what kinds of jobs the students have and what procedures the students followed to get their jobs. Ask if their employers advised them about any safety regulations or procedures. Ask, too, if they were advised of any laws that regulated the time of day

they could work and the number of hours they could work each week. (If none of your students work outside the home, focus on the kinds of work they do in and around their homes. Ask similar questions, particularly in regards to the number of hours they work per week.)

2. Inform the students that fewer than 100 years ago, many children, some as young as 8 or 9 years old, worked full-time jobs. Display or distribute copies of the photographs of children at work (Handout l). Allow the students time to read the captions and discuss the general appearance of the children in the pictures. Ask such questions as: Do the children look happy? Are they clean and well-clothed? Why do you suppose they are working? Would you like to be doing what they are doing? How many hours do you think they might work? How many days per week?

3. Share the information provided in the Teacher Background. Discuss what it must have been like in the early 20th Century for young children who had to work. Consider conditions such as the high temperatures of factories, the low level of cleanliness, the lack of safety devices, as well as long hours and low wages.

4. Ask each student to select a picture and to write an imaginative short story about the children in the picture. The story could take the form of a diary entry or letter to a friend. Stories should give information on the place of work, the working conditions, wages, hours, and what the children did for leisure. Letters or diaries should explain why they are working and the details of what they like or dislike about their jobs.

   Time can be allowed for research in the library or of materials gathered for class. The story could be completed as homework.

Period Two

1. Ask a few volunteers to share their writing. Discuss aspects of their work that are most realistic, and list on the board points that illustrate the need for government regulations of child employment practices.

2. Distribute Handout 2. Tell the students that this is a partial list of Georgia Laws and Rules Regulating Employment of Children. Read and discuss each of the laws and rules. Ask the students to consider whether these laws and rules are being followed in their own jobs, or the jobs of older siblings or friends.

3. Ask students to summarize the regulations given in Handout 2. They should organize their summary under headings such as: "Children under l6 may...," "Children under l6 may not...," "Children under l2 may...," "Children under l2 may not... ."

Period Three

1. Review the summaries of Georgia regulations on child labor.

2. If not already discussed, call students' attention to the fact that the Georgia law does not protect children under 12 in agriculture, domestic service in people's homes, and parent or guardian owned businesses. Their only protection against full-time work is compulsory education, which is inadequate, say, for children of migrant workers. Ask: Should the law be extended to these occupations? Why or why not? What protections, if any, are needed?

3. Play the devil's advocate to test whether students think that the laws regulating child labor are good and fair. Let the children know what you are doing and then make statements like: "Children don't really need these protections." "What's wrong with hard work?" "Why shouldn't employment conditions be up to the employer and the child or his or her parent?" "Why does the state have to become involved?"

4. Have students compare and contrast past and present-day child labor conditions. This may be done as an individual or group assignment. The students may wish to organize their conclusions like the example below.

EMPLOYMENT OF MINORS

PAST	PRESENT
Place of work: ____________________	Place of work: ____________________
Length of day (hrs.): ____________________	Length of day (hrs.): ____________________
Condition of workplace: ____________________	Condition of workplace: ____________________
Reason for working: ____________________	Reason for working: ____________________
Wages: ____________________	Wages: ____________________

EVALUATION:

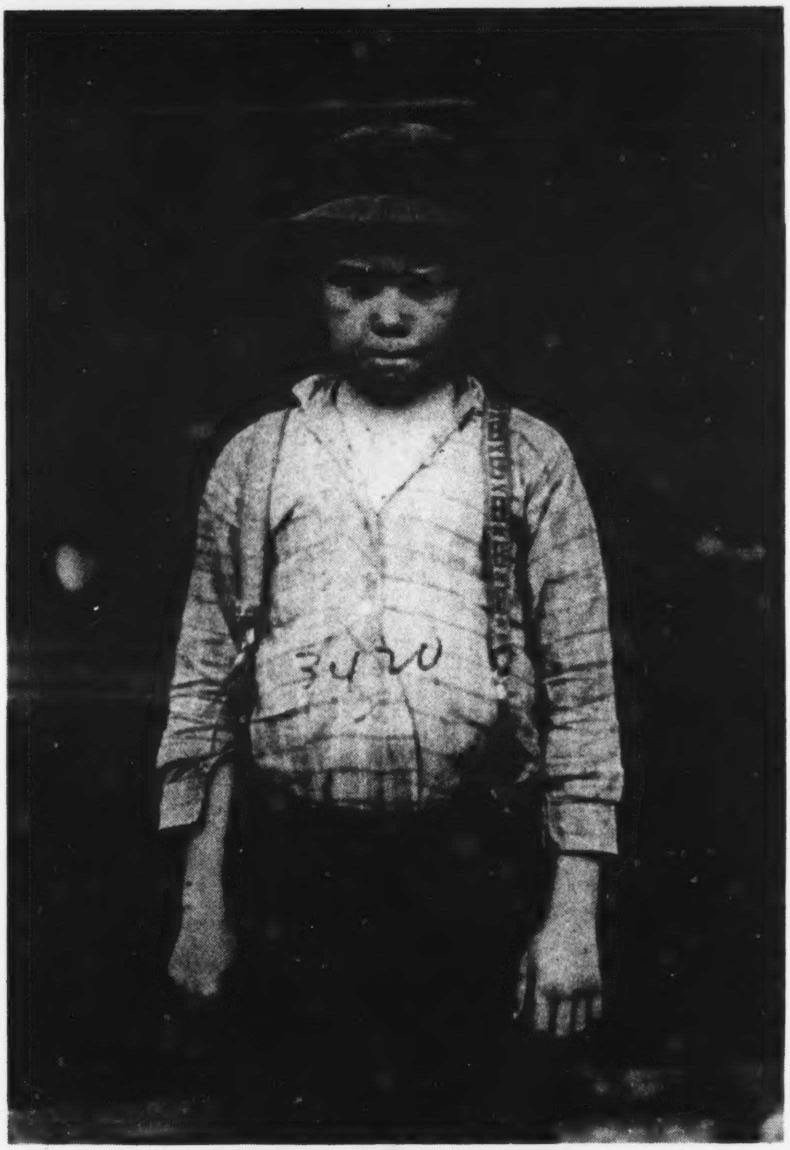
- Ask the students to write a paragraph on what they have learned about Georgia's laws on child labor. The paragraph should (l) give reasons for the regulations, and 2) give two or three examples of the regulations (e.g., working hours, safety, etc.)

- Use stories and summaries done during the lesson for evaluation as well.

ENRICHMENT:

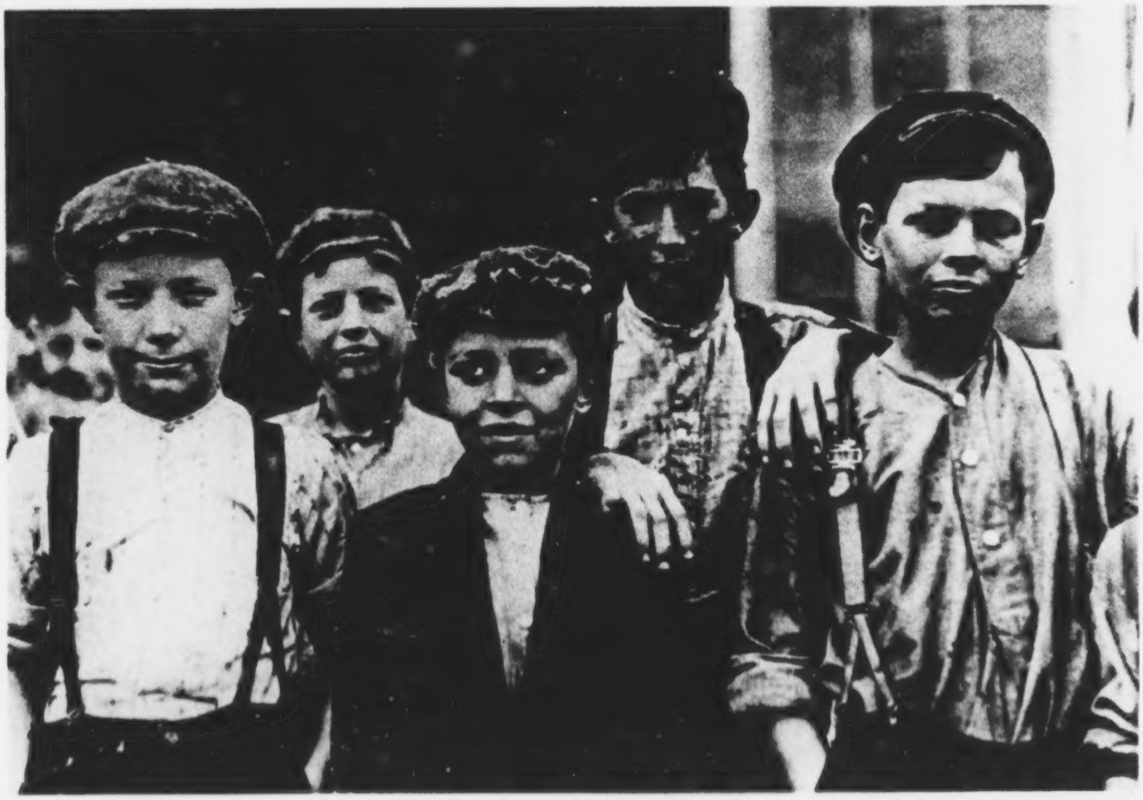
- Invite a speaker from the local Georgia Department of Labor Employment Agency to speak to the class about his/her role in working with child labor laws in the state of Georgia.

- Locate additional material on child labor by visiting your local library and historical society. Display these materials during and following your lesson to build the students interest.



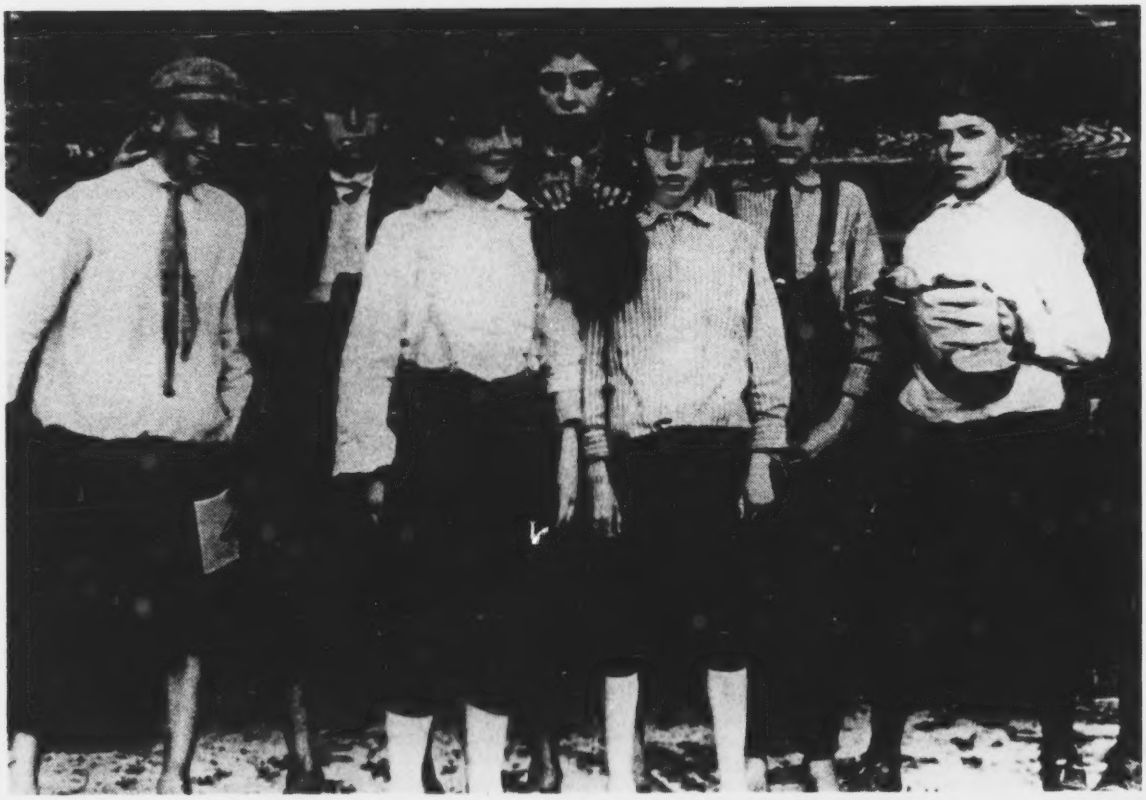
Eleven-year-old boy at Massey Hosiery Mill in Columbus, Georgia. He had worked since he was 10. He earned $5.00 a week. His father also worked in the mill. (April, 1913.)

Courtesy of Columbus Museum
Columbus, Georgia



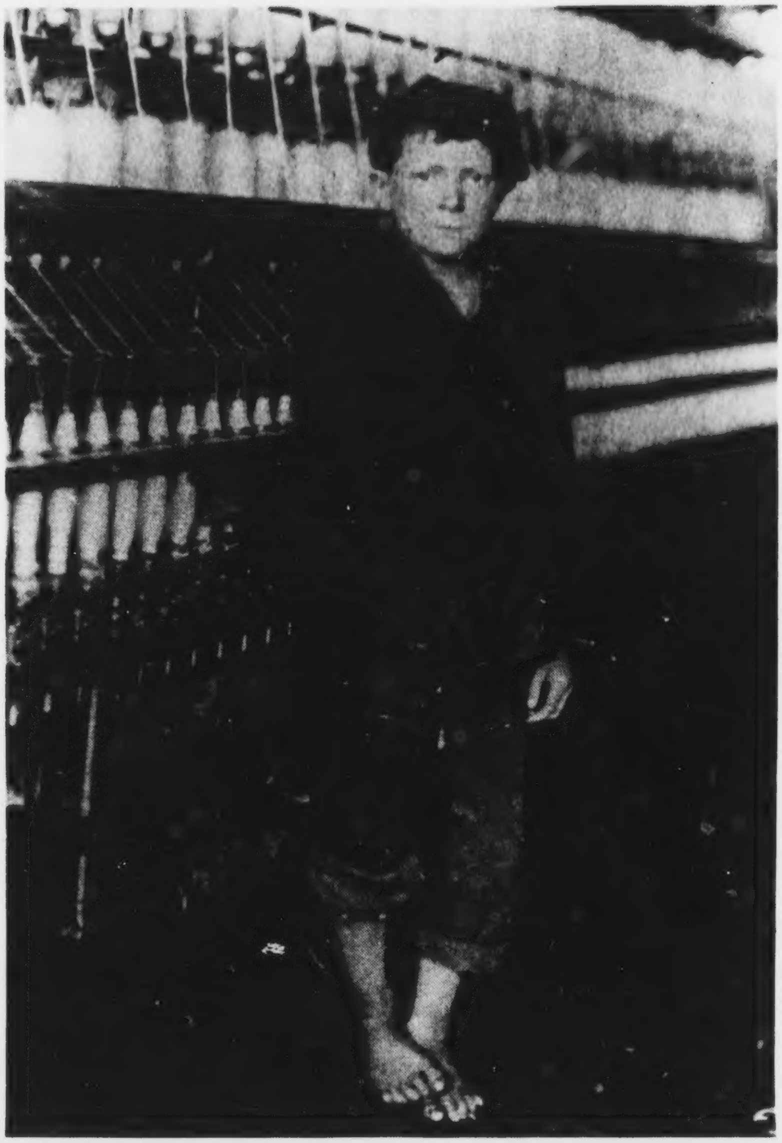
Doffer boys in Bibb Mill, Macon, Georgia. (Notice the lint on the boys' clothing.) (January, 1909.)

Courtesy of Columbus Museum
Columbus, Georgia



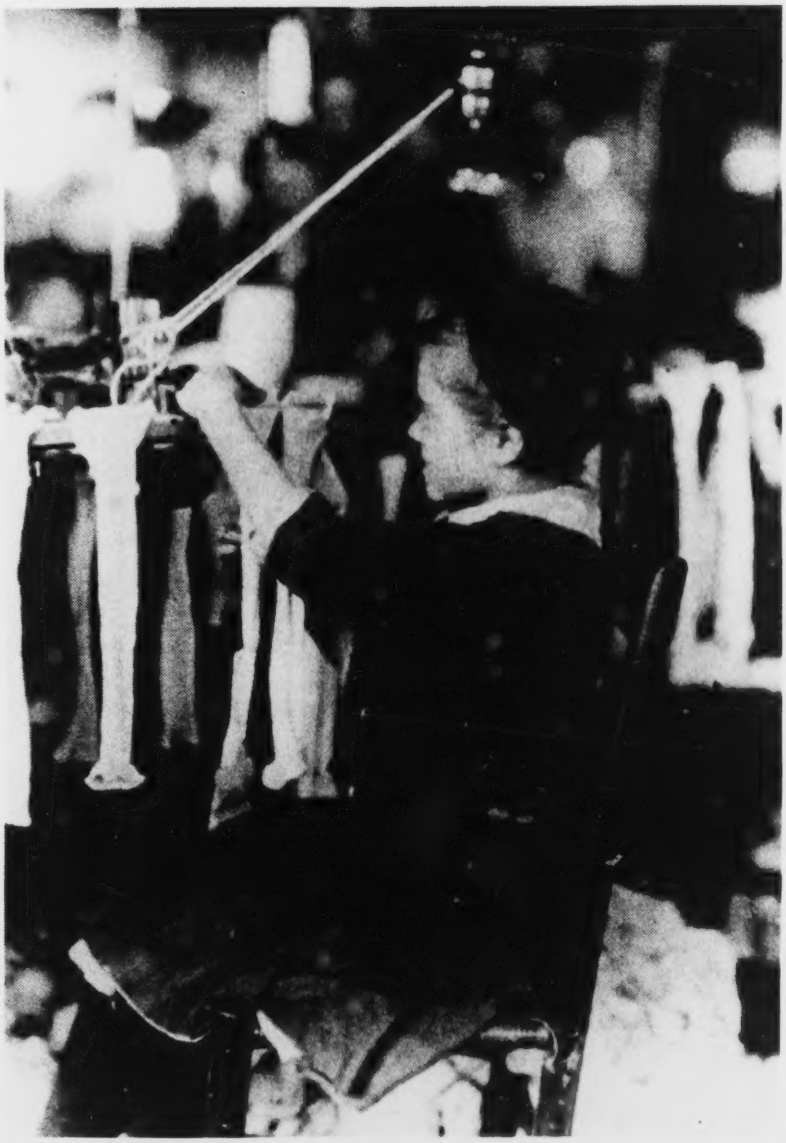
Light Work! Group of boys, all working in Massey Hosiery Mill, Columbus, Georgia. Most of them had been working all day and had an hour for supper and were going back into the mill (6:00 p.m.) to work until 8:00 p.m. as they have done several nights this week and for some time past. I found four ten-year-olds and several 11 and 12 working in the evening after supper and they said it was a regular thing.

Courtesy of Columbus Museum
Columbus, Georgia



Young doffer boy at machine in Massachusetts Mill, Lindale, Georgia.

Courtesy of Columbus Museum
Columbus, Georgia



A worker in the Cherokee Hosiery Mill, Rome, Georgia. Some workers were 8 and 9 years old.

Courtesy of Columbus Museum
Columbus, Georgia

Georgia Law and Rules Regulating Employment of Children

Published by Georgia Department of Labor
(Partial List)

Employment of minor under 16 years of age generally--

39-2-1. Employment in mills, factories, etc., generally.

No minor under 16 years of age shall be employed by or permitted to work in or about any mill, factory, laundry, manufacturing establishment, or workshop nor in any occupation which has been designated as hazardous in accordance with Code Section 39-2-2.

39-2-2. Dangerous employment.

No minor under the age of 16 years shall be employed or permitted to work at any occupation or in any position which the Commissioner of Labor may declare by regulation dangerous to life and limb or injurious to the health or morals of such minor.

39-2-3. Hours of work generally.

Except as otherwise provided in this chapter, no minor 16 years of age shall be permitted to work for any person, firm, or corporation between the hours of 9:00 p.m. and 6:00 a.m.

39-2-4. Employment during school hours.

No minor under 16 years of age shall be employed or permitted to work in any gainful occupation during the hours when public or private schools are in session unless said minor has completed senior high school or has been excused from attendance in school by a county or independent school system board of education in accordance with the general policies and regulations promulgated by the State Board of Education.

39-2-6. Sale or delivery of newspapers.

Minors under 16 years of age may be employed to sell or deliver newspapers in residential areas between the hours of 5:00 a.m. and 9:00 p.m. but shall not be employed to sell or deliver newspapers between the hours of 9:00 p.m. and 5:00 a.m. provided that such employment shall not be for a longer time than is provided in Code Section 39-2-7 and shall not be performed during school hours.

39-2-7. Maximum hours of employment.

No minor under 16 years of age shall be employed or permitted to work in any gainful occupation covered by this chapter for more than four hours on any day in which the school attended by said minor is in session, more than eight hours on days other than school days, or more than 40 hours in any one week.

39-2-9. Employment of minors under 12 years of age generally.

No minor under 12 years of age shall be employed or permitted to work in any gainful occupation at any time, provided that this Code section shall not be construed to apply to employment of a minor in agriculture, domestic service in private homes, or any specific employment permitted by this chapter or to employment by a parent or a person standing in the place of a parent.

39-2-11. Employment certificates--Required; requirements for issuance.

(a) No minor between the ages of 12 and 16 years shall be employed by or permitted to work for any person, firm, or corporation unless a certificate, showing the true age of such minor and that such minor is not less than 12 years of age and is physically fit to engage in the employment sought to be obtained, shall be issued by the school superintendent or by some member of his staff authorized by him in writing, in the county or city where the minor resides or, if a student at a licensed private school, by the principal administrative officer thereof or by some member of his staff authorized by him in writing. A certificate shall also be required for employment of minors between the ages of 16 and 18.

(b) The certificate provided for in subsection (a) of this Code section must show that the minor is 16 years of age to qualify such minor to work between the hours of 9:00 p.m. and 6:00 a.m. and to be employed in any of the occupations covered by Code Section 39-2-2. (Further text is omitted.)

39-2-11.1 Employment during the months of vacation from school in the care and maintenance of lawns, gardens, and shrubbery.

Notwithstanding any other provision of this chapter or any rule or regulation of the Commissioner of Labor adopted pursuant to the provisions of Code Section 39-2-2 to the contrary, a minor 14 years of age or over may be employed during the months of vacation from school in the care and maintenance of lawns, gardens, and shrubbery on the grounds of mills or factories described in Code Section 39-2-1 and on the grounds of any other factory, mill, or business where employment of the minor within the factory, mill, or business might be prohibited by this chapter or any rules and regulations of the Commissioner of Labor.

3-3-24. Dispensing, serving, selling, etc., or alcoholic beverages by persons under 18 years of age.

(a) No person shall allow or require a person in his employment under 18 years of age to dispense, serve, sell, or take orders for any alcoholic beverages.

(b) This Code section shall not prohibit persons under 18 years of age who are employed in supermarkets, convenience stores, breweries, or drugstores from selling or handling alcoholic beverages which are sold for consumption off the premises.

WHO WILL GET THE KIDS?

GRADE LEVEL: 6-7 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Two class periods

CONCEPTS/ VOCABULARY:

Divorce; child custody; visitation rights; sole custody; joint custody; irretrievably broken; material conditions; discretion

MAIN IDEAS:

a. Georgia has laws that define the basis for child custody
b. Child custody laws are designed to serve the best interest of the child

QCC CORRELATION:

Content

7-15. Explains how the value system exerts great influence on the attitudes and behavior of people

Skills

6-16. Works within a group, following set rules of procedure, to complete an assigned task
6-26. States reasons for an advocated position

INSTRUCTIONAL STRATEGIES:

Cooperative group work and brainstorming on questions of child custody
Reading and discussing background information on child custody
Discussing a scenario and possible outcomes of a sample child custody hearing

OBJECTIVES:

The learner will:
--identify the legal grounds for divorce.
--recognize the considerations used to determine child custody.

TEACHER BACKGROUND:

Prior to 1973 substantial restrictions were placed on reasons that could be used to legally sever the marriage relationship in the state of Georgia. Twelve very specific grounds were recognized by the state as sufficient to authorize the granting of a divorce in Georgia (O.C.G.A. 19-5-3). Custody of minor children was closely related to the grounds for divorce, and custody was awarded to one parent OR the other on the basis of which party was not in "default" of the marriage.

In 1973, the Georgia legislature added the thirteenth ground for divorce: that the marriage is irretrievably broken. This ground became know as the "no fault" basis for divorce in Georgia, or Georgia's no-fault divorce law. Subsequent rulings of the Georgia Supreme Court have supported the position that if one party decides to leave the relationship, the marriage may be terminated. This change in divorce law, in which neither party may be considered at "default," necessitated changes in custody law. In addition, beliefs about parenting are changing, and custody of minor children is no longer automatically seen as the mother's right.

Children of parents who are separating or divorcing are concerned about "who gets the kids," and an understanding of custody laws should be salient.

O.C.G.A. 19-9-3 describes the discretion that the court has in custody disputes, the right of a child 14 years old or older to select the custodial parent, review of visitation rights, and grandparent visitation.

a) In all cases in which the custody of any minor child or children is at issue between the parents, there shall be no prima-facie right to the custody of the child or children in the father or mother. The court hearing the issue of custody, in exercise of its sound discretion, may take into consideration all the circumstances of the case, including the improvement of the health of the party seeking a change in custody provision, in determining to whom custody of the child or children should be awarded. The duty of the court in all such cases shall be to exercise its discretion to look to and determine solely what is for the best interest of the child or children and what will best promote their welfare and happiness and to make its award accordingly. In all custody cases in which the child has reached the age of 14 years, the child shall have the right to select the parent with whom he desires to live. The child's selection shall be controlling unless the parent so selected is determined not to be a fit and proper person to have the custody of the child. Nothing in this Code section shall be interpreted to deny the noncustodial parent the right to reasonable visitation determined by the court as in other cases. Joint custody, as defined by Code Section 19-9-6, may be considered as an alternative form of custody by the court. This provision allows a court at any temporary or permanent hearing to grant sole custody, joint custody, joint legal custody, or joint physical custody where appropriate. The court is authorized to order a psychological custody evaluation of the family or an independent medical evaluation.

b) In any case in which a judgment awarding the custody of a minor has been entered, on the motion of any party or on the motion of the court, that portion of the judgment effecting visitation rights between the parties and their minor children may be subject to review and modification or alteration without the necessity of any showing of a change in any material conditions and circumstances of their party or the minor, provided that the review and modification or alteration shall not be had more often than once in each two-year period following the date of entry of the judgment. However, this subsection shall not limit or restrict the power of the court to enter a judgment relating to the custody of a minor in any new proceeding based upon a showing of a change in any material conditions or circumstances of a party or the minor.

c) In the event of any conflict between this Code section and any provision of Article 3 of this chapter, Article 3 shall apply.

d) It is the express policy of this state to encourage that a minor child has continuing contact with parents and grandparent who have shown the ability to act in the best interest of the child and to encourage parents to share in the rights and responsibilities of raising their children after such parents have separated or dissolved their marriage.

In addition, O.C.G.A. 19-9-6 defines "joint custody," an issue of particular importance in light of no-fault divorce and changing trends in custody arrangements. These definitions are provided in Handout 3.

MATERIALS AND RESOURCES:

Handouts

1. Questions About Child Custody
2. Georgia's Child Custody Laws
3. Definitions Concerning Child Custody
4. Johnny's Dilemma

PROCEDURE:

1. Each student will need copies of Handouts 1, 2, and 3. Introduce the topic of child custody by reading aloud the questions on Handout 1, Questions About Child Custody. Then divide students into small groups to answer the questions by using information provided on Handouts 2 and 3. Ask groups to discuss answers to questions, using the handouts as references. Each group should have a chairperson to lead the group and a recorder to make notes on Handout 1. Notes should include questions the group cannot answer. The group will also need a spokesperson.

2. Let each group share their answers with the rest of the class. Discuss questions the groups could not answer. Add details from the Teacher Background and clear up any errors or misconceptions.

Period Two

1. Begin by reviewing the main ideas from the first period. Note that in the original or first hearing between parents over the custody of their minor child, the only question before the court is that of what is best for the child. Also, once the custody award has been made, it is considered final. However, the award can be changed if there is a change or new condition that will affect the child's welfare, such as remarriage, relocation, or serious illness.

2. Inform students that in many custody cases following separation or divorce, the following takes place:

   a) The father and mother reach an agreement as to the child custody and visitation rights. However, any such agreement is always subject to approval or disapproval by the trial court; discretion of the court applies.

   b) In the past, the custody of minor children has usually been awarded to the mother because she has traditionally been the parent who provides daily care for the children. The court may rule that the children's best interests are to live with the mother who has cared for them. There are exceptions to this, and the tendency by the courts always to place children with their mothers is being challenged by fathers.

   c) The father has usually been given visitation rights. Visitation rights can either be specified, or the parent can be given "the reasonableness rights of visitation." Visitation rights are a part of custody, and they cannot be modified unless there have been sufficient changes to require new court review.

d) The trial court can award joint custody. The court lists in full all the details of such an arrangement.

e) If the child is 14 years old or older, he or she has the right to choose the parent with whom he/she wants to live.

3. Divide the class into four groups. Each group will represent one of the characters in a child custody scenario and should discuss the questions given to them based on the point of view of that particular character. The characters are Johnny, his mother, his father, and the judge.

4. Distribute Handout 4, Johnny's Dilemma, to the class. Have the students read the scenario and answer the questions that follow.

   Possible answers to the questions:

   1. The material conditions and circumstances that have changed include Johnny's age, Johnny's father's location and job, and Johnny's mother's remarriage.

   2. The judge has several options: sole custody to Johnny's mother; sole custody to Johnny's father; joint legal custody--Johnny lives with his mother; joint legal custody--Johnny lives with his father; joint legal and physical custody to continue.

   3. Johnny should consider his age--he is old enough to make the decision about physical custody himself. Both parents want him. Grandparents are nearby. Does Johnny want to stay in the same school? Could he go to two schools? How does he feel about his mother's remarriage? His father's new job?

   4. Johnny's mother might say she wants him with her; she is not the one moving and should not be punished; she does not want to uproot him; his grandparents are nearby; he could stay in the same school, church, near friends.

   5. Johnny's father might say he loves him and wants to be with him. He has done nothing wrong and should not be deprived of his time with Johnny; he is moving in order to stay employed and support Johnny; advantages of a new town, job, and a "better school."

   6. The judge could recommend joint legal custody with Johnny to determine living arrangements because of his age. The judge must consider what is in Johnny's best interests.

4. After the groups have had time to answer the questions, bring them back together and have each group present their responses to the whole group. Make presentations in the following order: Mother, Father, Johnny, Judge. Each group should address only the questions pertaining to them. The judge's group should address custody options and make a decision. You might allow them to question the other characters.

EVALUATION:

- Use Handout 1 again. Have students answer the questions without referring to their earlier notes.

ENRICHMENT:

- Develop another scenario and repeat the process from Period Two.
- Invite a minister, lawyer, school social worker, or the school counselor to your class to discuss child custody.
- Use one of the following movies/videotapes as a basis for further discussion: Kramer vs. Kramer (rated PG); The Parent Trap (rated G).

QUESTIONS ABOUT CHILD CUSTODY

1. What happens to the children in a family when the parents separate or divorce?

2. Which parent has usually been granted custody of children when there is a divorce?

3. Does the child have the right to choose the parent with whom he or she wishes to live. Explain.

4. Does the parent who does not have custody of the child/children have visitation rights. Explain.

5. Who determines who gets custody of a child?

6. Once custody, including visitation rights, is established, can it be changed?

7. Under what conditions are custody and/or visitation rights reviewed by the court?

8. Do grandparents have visitation rights? Should they?

9. What is joint custody?

10. What is joint legal custody?

11. What is joint physical custody?

12. What is sole custody?

GEORGIA'S CHILD CUSTODY LAWS

Georgia's child custody law (O.C.G.A. 19-9-3) states that:

a) There is no automatic right to custody for either the father or the mother. The court decides what is best for the minor child or children when assigning custody. In all custody cases in which the child is 14 years old or older, the child has the right to choose the parent with whom he or she wants to live, unless the court determines that the selected parent is not fit to have custody. The court may assign joint custody. The parent who does not have custody has the right to reasonable visitation, as determined by the court.

b) Visitation rights may be reviewed and changed under certain conditions. Rights may be reviewed every two years after a judgment if there have been no changes in material conditions or circumstances of either parent or the child. They may be reviewed any time a change in material conditions or circumstances of either parent or child is shown.

c) The policy of the state is to encourage a minor child to continue to remain in contact with parents and grandparents and to encourage parents to work together to raise their children even after they have separated or divorced.

DEFINITIONS CONCERNING CHILD CUSTODY

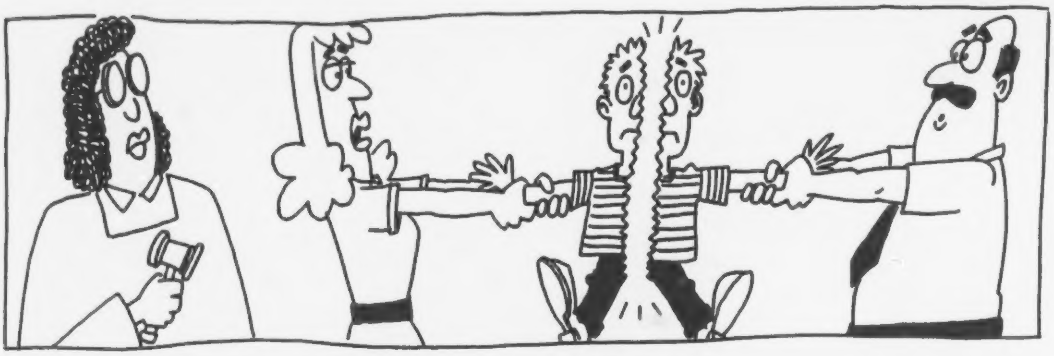
O.C.G.A. 19-9-6 provides four necessary definitions concerning child custody:

1) "Joint custody" means joint legal custody, joint physical custody, or both joint legal and joint physical custody. In making an order for joint custody, the court may order joint legal custody without ordering joint physical custody.

2) "Joint legal custody" means both parents have equal rights and responsibilities for major decisions concerning the child, including the child's education, health care, and religious training; provided, however, that the court may designate one parent to have sole power to make certain decisions while both parents retain equal rights and responsibilities for other decisions.

3) "Joint physical custody" means that physical custody is shared by the parents in such a way as to assure the child of substantially equal time and contact with both parents.

4) "Sole custody" means a person, including, but not limited to, a parent, has been awarded permanent custody of a child by a court order. Unless otherwise provided by court order, the person awarded sole custody of a child shall have the rights and responsibilities for major decisions concerning the child, including the child's education, health care, and religious training, and the noncustodial parent shall have the right to visitation. A person who has not been awarded custody of a child by court order shall not be considered as the sole legal custodian while exercising visitation rights.



JOHNNY'S DILEMMA

Johnny's parents were divorced three years ago when he was 11 years old. At that time, the court awarded his mother and father joint custody. Since they live in the same town in Georgia, Johnny lives for two weeks with his mother, then two weeks with his father. He attends one school. He sees his mother the weekend in the middle of his stay with his father, and he visits his father in the middle of his stay with his mother. Although the arrangements have been complicated and confusing on occasion, the joint custody plan has worked out well. Both sets of grandparents live nearby. Now however, the company Johnny's father works for has closed the plant that it operates where Johnny's parents live. Johnny's father needs to relocate to another town about 100 miles away in order to keep his job and benefits. In fact, he will be promoted when he does move. Johnny's mother remarried 6 months ago. Johnny's parents have not been able to agree on what do do with him. Both parents love Johnny and want him to live with them. Each is seeking sole custody.

Questions for each group to answer:

1. What "material conditions and circumstances" have changed since the first custody hearing?
2. What options does the judge have in awarding custody?
3. What factors should Johnny consider?
4. What reasons might Johnny's mother give for requesting sole custody?
5. What reasons might Johnny's father give for requesting sole custody?
6. If you were the judge, what would you do?

IT'S O.K. TO TELL!

GRADE LEVEL: 6-7 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: One class period

CONCEPTS/ VOCABULARY:

Rape; attempted rape; statutory rape; sexual intercourse; acquaintance rape.

MAIN IDEAS:

a. Rape is a violent crime with serious legal, societal, and psychological consequences.
b. Georgia laws define statutory rape as engaging in sexual intercourse with a minor--male or female--under the age of 14.
c. Acquaintance rape, sometimes called date rape, is the most prevalent form of rape in our society.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-17. Demonstrates through classroom activities the necessity for rules in an ordered society
6-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Taking notes as background information on rape
Reading and discussing facts and myths about rape
Identifying proper procedures to follow in reporting a rape

OBJECTIVES:

The learner will:
--define rape and statutory rape.
--distinguish rape facts from rape myths.

TEACHER BACKGROUND:

America is acknowledging its rape problem. Rape counseling centers and support groups have opened in many cities and towns, and women have begun talking about their experiences and working in positive ways to fight back against the effects of sexual assault.

The focus of this lesson is on teenagers and acquaintance rape. Although college is often seen as the environment in which acquaintance rape flourishes, high school and even junior high girls are being raped--often by boys they know. Some elementary school-age girls also are raped by classmates, boyfriends, and casual friends.

Fearing potential disbelief, anger, or blame rather than support and love, many young girls don't tell their parents about acquaintance rape. Since the victim thinks that what happened to her wasn't "real rape," that is, it didn't involve a stranger jumping from the bushes and holding a knife to her throat, she may fear what her parents will think about her "giving in." Other reasons for not telling parents include an unwillingness to prosecute the attacker, peer loyalty, and fear of reprisals.

Rape is defined as a crime of forcing a female to have sexual intercourse against her will. O.C.G.A. 16-6-1 states:

a. A person commits the offense of rape when he has carnal (sexual) knowledge of a female forcibly and against her will. Carnal knowledge in rape occurs when there is any penetration of the female sex organ by the male sex organ.

b. A person convicted of the offense of rape shall be punished by death, by imprisonment for life, or by imprisonment for not less than one nor more than 20 years.

NOTE: Although the penalty for rape includes punishment by death, the 1977 case, Coker v. Coker (433 U.S. 594), held that the imposition of the death penalty if the victim is not killed violates the Eighth Amendment.

Attempted rape is defined as occurring when a male attempts to have sexual intercourse with a female forcibly and against her will, but does not succeed. If found guilty, the punishment is the same as for rape.

Statutory rape is defined in the Georgia code (O.C.G.A. 16-6-3) as follows:

a. A person commits the offense of statutory rape when he engages in sexual intercourse with any female under the age of 14 and not his spouse, provided that no conviction shall be had for this offense on the unsupported testimony of the female.

NOTE: A female under age 14 may consent to have sex, but the male can be charged with statutory rape because it is the act of sexual intercourse and the age of the female that constitute the crime of statutory rape. O.C.G.A. 16-6-4 and 16-6-5 provide a general statutory scheme giving protection to both male and female children under the age of 14, regardless of the offender's gender.

b. A person convicted of the offense of statutory rape shall be punished by imprisonment for not less than one nor more than 20 years.

Statutory rape is a sexual offense that takes place when sexual intercourse has occurred without force and either the perpetrator or the victim are under 14. Both males and females can be charged with statutory rape and both may bring statutory rape charges as the victims of statutory rape. (This raises the question of who would charge whom if two persons under 14 years old had sex.)

A juvenile over the age of 14 taken into custody on a charge of rape may be tried as an adult. The juvenile's previous history of delinquent offenses and the circumstances of the rape charge--such as the age and condition of the victim--are taken into account in making the decision to try the juvenile as an adult before a jury.

Juveniles under the age of 14 will have their cases heard in the juvenile court. Depending upon the juvenile's age and the circumstances of the rape, the judge could sentence the juvenile to up to two years in the Regional Youth Detention Center. Other treatment alternatives are possible and would be considered, if in the best interest of the juvenile and society at large.

MATERIALS AND RESOURCES:

Handouts

1. Myths About Rape
2. Information Related To Rape

PROCEDURE:

1. Inform students that this topic may be embarrassing or sensitive to some to discuss, but you want them to know the laws and facts about this crime. Tell the students that it is important for them to know Georgia's laws on this crime because it is not just adults who are the victims and perpetrators of rape crimes. Young girls can be victims of rape, and young boys can be taken into custody and sent to the Regional Youth Detention Center for up to two years if they are found guilty of rape. Then, read or explain the Teacher Background material to students. Ask them to make notes on any information they may want to discuss afterwards. Call for questions or comments and discuss.

2. Distribute Handout 1, Myths About Rape, to students. Lead the class in reading and discussing the facts and the myths about rape.

3. Distribute Handout 2, Information Related To Rape, to students. Ask the students to read the handout silently and to note any questions they have as they read. Answer any questions the students have about the material in the handout. Make sure that the students understand that rape is a violent crime; it is an unwarranted and illegal use of another person's body, occurring without permission or consent.

4. Ask students: Which of the following should you do if you are a victim of rape?

   a. Get help. Tell the first person you meet.
   Yes. Point out the rapist if he is still around. Remember who you are talking with and what you've said (for later testimony).
   b. Get a gun and shoot the rapist.
   No. Taking the law into your own hands is never a good idea and likely to create far greater problems.
   c. Call a member of your family or a woman friend for support.
   Yes. Ask her to accompany you to the hospital or police department.
   d. Get your friends to track down the rapist.
   No. Same as b.
   e. Call a rape crisis center.
   Yes. They can give information on what to do and where to go.

    f. Call the police.
       Yes. Most authorities advise women to report a rape as soon as possible.
    g. Get medical help as soon as possible.
       Yes. Rape victims often need physical care as well as psychological help.

5. Review what a rape victim should and should not do if she decides to call the police.

    a. Don't bathe, douche, or change clothes. You'll destroy evidence.
    b. Go to a hospital right away. A physical examination is necessary to prove rape and determine your injuries.
    c. If the hospital does not routinely report rape, call the police right away.
    d. When you go to the police, go as you are, bring another woman for support, and speak to a policewoman or someone trained to provide sensitive treatment to rape victims, if possible.

6. Stress that no one, not a parent, not a friend, not a relative, nor anybody else, has the right to force you to have sex. State that usually the only way to end such abuse is to report it to proper authorities. As a review, ask the students to identify who they might turn to if they became a rape victim or witnessed a rape. (Possible answers are: the police, the local Rape Crisis Hotline, the school counselor, a parent, or their pastor.)

7. Inform students that detailed information about self-protection may be obtained through their public library, police department, or a Rape Crisis Hotline.

EVALUATION:

- Have students write a short essay on what they learned about rape that they did not know, and what they would do if faced with this criminal assault.

ENRICHMENT:

- Invite a counselor, minister, Health Department Education specialist, rape crisis specialist, and/or a police officer to discuss this topic further.

- Make a poster or bulletin board that informs students about Georgia's laws on rape.

Handout 1

MYTHS ABOUT RAPE

When you have experienced sexual assault, it is normal to have many fears and anxieties about what happened. Knowing the facts about rape and being able to distinguish them from the myths, will enable you to deal more effectively with your concerns.

Myth: Most rapes are done on the spur of the moment by strangers in dark alleys.
Facts: A rapist is usually an acquaintance or a friend of the victim. Most rapes are carefully planned and occur in the victim's home. Most rapists appear normal. Most are married and young. They can be of any race, color, or socio-economic class.

Myth: It could never happen to me.
Facts: Any woman is a potential rape victim: females of any age, race, class, religion, occupation, education, or physical appearance. However, more than 9 out of 10 rapes involve persons of the same race or culture. Men and boys can also be victims of sexual assault.

Myth: Rape happens only to young women.
Facts: Rape victims in Muscogee County, Georgia ranged in age from 2 months to 94 years. Rape is an act of force for which all women must be prepared. Women of all ages can become victims.

Myth: Rape is a nonviolent crime.
Facts: Rape is a violent crime--over 80 percent of rapists either carry a weapon or threaten the victim with violence or death. Often the actual rape is only a small part of the verbal and physical abuse that can occur during an assault.

Myth: Women are "asking for it" by their dress or actions.
Facts: Research shows that rapists look for available targets they perceive as vulnerable, not women who dress in a certain way. Rape is the responsibility of the rapist, not the victim.

Myth: Rape is primarily a sexual crime.
Facts: Rape is the act of using sex as a weapon in order to be powerful and to humiliate another person. Rape is a crime of violence.

Myth: Women secretly want to be raped.
Facts: Women do not want to be victims of violence and brutality. They do not enjoy, expect, or "ask for" rape.

Handout 2

INFORMATION RELATED TO RAPE

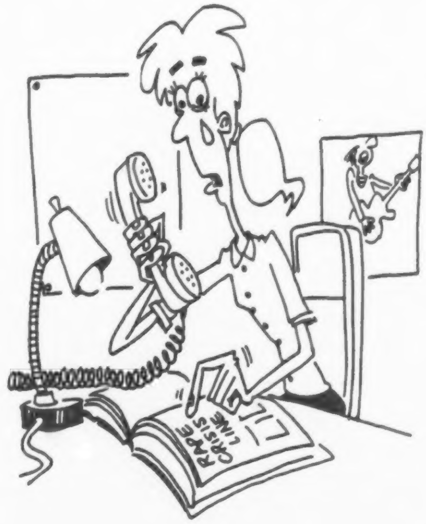
CRIMES

RAPE is the crime of forcing a female to have sexual intercourse against her will.

SEXUAL INTERCOURSE is any penetration of the female sex organ by the male sex organ.

ATTEMPTED RAPE occurs when a male attempts to have sexual intercourse with a female forcibly, against her will, but does not succeed.

STATUTORY RAPE occurs when a person engages in sexual intercourse with a male or female under the age of 14, regardless of whether the underage person consents to have sex.



SEXUAL BATTERY is when a person touches an intimate body part of another person without consent.

ADULT PENALTIES

A person convicted of the crime of rape can be sentenced to life in prison, or from 1 to 20 years.

A person convicted of the crime of statutory rape can be sentenced from 1 to 20 years.

The penalty for attempted rape is the same as for rape.

MAIN IDEAS

Rape and statutory rape happen to high school, middle school, elementary school, and even preschool children.

Young girls may not tell their parents, guardians, or authorities about being raped for fear of not being believed. Young girls may also fear parent or guardian anger and blame.

Some rape victims don't report the crime because they are unwilling to prosecute the attacker or fear reprisals and further abuse.

Few rapes involve a stranger jumping from the bushes holding a knife. Rapists are usually acquaintances or friends of the victim.

IS JUST SAYING NO TO DRUGS ENOUGH?

GRADE LEVEL: 6-7 **AUTHOR:** LoDoris Leavell

TIME REQUIRED: Two class periods

CONCEPTS/ VOCABULARY:

Legal and illegal drugs; drug abuse; drug legislation

MAIN IDEAS:

a. Illegal drugs are harmful and can lead to addiction and/or death.
b. The federal government and the state of Georgia have laws governing the manufacture, distribution, and sale of illegal drugs.
c. Students can say "no" to drug use and support their decisions with facts.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-17. Demonstrates through classroom activities the necessity for rules in an ordered society
6-20. Listens to and respects the views of others

INSTRUCTIONAL STRATEGIES:

Working in small groups to answer questions about drug abuse
Writing role-playing scenarios to practice saying "no" to drugs

OBJECTIVES:

The learner will:
--recognize examples of the five categories of frequently-abused drugs
--become aware of Georgia's laws governing the manufacture, distribution, and possession of illegal drugs
--practice saying "no" to drugs

TEACHER BACKGROUND:

The use of illegal drugs has been a persistent and difficult to combat problem in the United States. People who use illegal drugs often damage their bodies and their lives. Drug abuse not only harms the person using the drug, it also has serious consequences for friends, family members, and ultimately society as a whole--in the form of lost productivity and the cost of controlling crime.

Commonly abused drugs are often divided into five categories: 1) sedatives, 2) stimulants, 3) hallucinogens, 4) narcotics, and 5) organic solvents. Handout 1, Abusable Drugs, provides basic information about each of these categories.

Laws in the United States and most other countries forbid the possession or sale of some commonly abused drugs. The Drug Enforcement Administration (DEA), an agency of the United States government, enforces federal laws on drug abuse. Drug legislation aims to reduce the dangers connected with the use of drugs. Handout 2, Georgia's Laws Related to Drug Abuse, provides an overview of our state laws concerning the possession, sale, manufacture, and distribution of illegal drugs.

It should be recognized that the abuse of alcohol is our greatest drug problem. Alcohol is a controlled substance, possession of which is illegal for persons under the age of 21. Alcohol is often the drug of choice for young persons, who may take the legal, adult use of this substance as an indication that it is not as harmful as other types of drugs. In fact, alcohol is responsible for more deaths, damaged lives, and lost productivity than all other forms of drug abuse. Prevailing views of the acceptability of alcohol use have changed over time and vary from group to group depending on such factors as ethnicity and religion. Regardless of your personal views regarding the use of alcohol, youth should be informed that alcohol is a dangerous and, for them, illegal drug.

The penalties outlined in Handout 2 are for adults. Juveniles taken into custody for drug offenses would be brought before the juvenile court. Depending upon the severity of the drug offense, the individual's age and case history, the juvenile could be given a sentence ranging from commitment to a Regional Youth Development Center to a brief period of court-supervised probation. It is the purpose of the juvenile court to act in the best interest of the juvenile offender while still protecting the interest of society.

MATERIALS AND RESOURCES:

Handouts

1. True False Quiz
2. Abusable Drugs
3. Georgia's Laws Related to Drug Abuse

PROCEDURES:

Period One

1. Use Handout 1, True False Quiz, to introduce the lesson. Have students complete the quiz individually, and then very briefly review a few of their answers in order to demonstrate that they lack some of the knowledge needed to answer the questions.

2. Distribute Handout 2, Abusable Drugs, and Handout 3, Georgia's Laws Related to Drug Abuse. Divide the class into groups of three or four students and have them check their answers to the quiz questions using the handouts for reference. Ask the groups to be able to explain why each item is true or false.

   Answers to the True False Quiz:

   1) True, 2) False, 3) False, 4) False, 5) True, 6) False, 7) True, 8) False, 9) True, 10) True, 11) False, 12) True, 13) False, 14) True, 15) True

Period Two

1. Briefly review information about abusable drugs and Georgia's drug laws from period one.

2. Discuss ways to say "no" to drugs incorporating knowledge gained from Handouts 1, 2, and 3. Tell the students that while they do not have to justify or make excuses for saying "no" to drug use, it may make them feel better if they back up their good decision with some facts. To get the students started, provide the following examples:

   Example 1

   Jason is approached in the woods near his school by a high school student who wants to sell him a small amount of marijuana.
   After he says no, Jason might add that he doesn't want or need to hallucinate.

   Example 2

   Robbie is building a model plane. A friend stops by and suggests they try sniffing the glue "for kicks." He says it does strange things to your mind.
   After Robbie says no, he points out that glue sniffing can cause drunken or psychotic behavior, and even death by suffocation.

   Example 3

   Twanda, Keitha, and Jane are out for a ride together in Twanda's mother's car. Keitha says she has a surprise for Twanda and Jane and pulls out a bottle of gin.
   After Twanda says no, she could tell Keitha that she is driving and doesn't want to endanger them. She could point out that they would be risking their driver's licenses, and that underage drinking is illegal.

3. Have the students practice saying no themselves by writing role-playing scenarios. Assign the students to small groups and have them write a scenario and practice it before presenting to the class. Encourage them to say more than "no" by backing up their answers with information about drugs or consequences of abuse. The scenarios might include students, parents, siblings, or police.

EVALUATION:

- Have the students write a one-page essay summarizing what they have learned

ENRICHMENT:

- Invite a doctor and a police officer to discuss legal and illegal drug uses and abuses.
- If possible, invite a rehabilitated drug user to talk to the class about his/her experiences.
- Form a research group to investigate the effects of alcohol abuse. Have the group present their findings to the class.

Handout 1

TRUE FALSE QUIZ

_____ 1. Illegal drug use in the United States is a serious problem.

_____ 2. Sleeping pills can cause hallucinations.

_____ 3. Cocaine helps a person relax.

_____ 4. Tranquilizers are a type of drug that can not be abused.

_____ 5. Amphetamines are the most widely abused stimulants.

_____ 6. Glue sniffing is practiced most widely by adults.

_____ 7. Heroin is regarded as one of the hardest drugs to "kick."

_____ 8. Demerol is an example of an organic solvent.

_____ 9. Abusable drugs can be divided into five categories.

_____ 10. The abuse of illegal drugs can cause death.

_____ 11. A first conviction for an adult who "knowingly manufactures, distributes, or possesses with intent to distribute a controlled substance" is punishable by imprisonment for up to one year.

_____ 12. The minimum term of imprisonment for a conviction of trafficking in cocaine is ten years with a fine of $200,000.

_____ 13. The minimum term of punishment for a conviction of trafficking in marijuana is two years imprisonment and a fine of $10,000.

_____ 14. The penalties for drug trafficking increase with the second and subsequent convictions.

_____ 15. Drug trafficking is a more serious offense than drug possession.

Handout 2

ABUSABLE DRUGS

1. Sedatives: Sleeping pills, muscle relaxants, and tranquilizers, fall into this category.
   Barbiturates, a major class of sedatives ,are extremely dangerous when taken without medical advice and prescription. They are, also, particularly dangerous when combined with other drugs including alcohol. Barbiturates are physically addicting.
2. Stimulants: This group includes drugs which directly stimulate the central nervous system. A dangerous stimulant is cocaine, a form of which, "crack," is classified legally but not chemically as a narcotic drug.
   Amphetamines are the most widely abused stimulants. Benzedrine, Dexedrine, and Methedrine are the most commonly used. Benzedrine and Dexedrine have been popular with truck drivers for keeping awake when driving for many hours. These drugs are referred to as "speed."
3. Hallucinogens: Distortions of perception, dream images, and hallucinations are characteristics of the group of drugs called hallucinogens or mind-affecting drugs. These drugs make the user see or hear in a different way than usual.
   Marijuana, LSD, DMT, STP, and Mescaline (peyote) are the most popular of the hallucinogens. These drugs usually make the user "trip" out.
4. Narcotics: Medically defined, narcotics are drugs that produce insensibility or stupor due to their depressant effect on the central nervous system. Included in this definition are opium and painkilling drugs made from opium, for example, heroin, morphine, and codeine. Demerol is an example of a synthetic man-made narcotic. Cocaine and marijuana are classified legally, but not chemically, as narcotic drugs. Narcotic drugs are widely used for short-term, acute pain resulting from surgery, fractures, burns, and in the latter stages of terminal illness, such as cancer.
   Heroin is a potent illegal narcotic. An overdose can cause death. Cocaine, unlike the other narcotics, is chemically classified as a stimulant. In overdosage, cocaine may so depress respiratory and heart function that death results.
5. Organic Solvents: The vapors of airplane glue, gasoline, lighter fluid, ether, paint thinner, and aerosols are classified as organic solvents. Inhaling these fumes (known as "sniffing") is practiced most frequently by youngsters between ten and fifteen years old. The chief dangers of inhaling these substances are death by suffocation, the development of psychotic behavior, and the state of intoxication these substances produce.

Handout 3

GEORGIA'S LAWS RELATED TO DRUG ABUSE

According to the laws in Georgia, it is unlawful for any person to manufacture, deliver, distribute, dispense, administer, sell or possess illegal drugs. Any person who knowingly manufactures, distributes, or possesses with the intent to distribute a controlled substance shall be guilty of a felony and, upon conviction thereof shall be punished by imprisonment for not less than two years nor more than 15 years. Upon conviction of a second or subsequent offense, he shall be imprisoned for not less than five years, not more than 30 years. O.C.G.A. 16-13-31

COCAINE

Any person who knowingly sells, manufactures, delivers, or brings into this state or who is knowingly in possession of 28 grams or more of cocaine or of any mixture with a purity of 10 percent or more of cocaine commits a felony and is punishable as follows:

a. If the quantity of the cocaine or the mixture involved is 28 grams or more, but less than 200 grams, the person shall be sentenced to a mandatory minimum term of imprisonment of ten years and shall pay a fine of $200,000;

b. If the quantity of the cocaine or the mixture involved is 200 grams or more, but less than 400 grams, the person shall be sentenced to a mandatory minimum term of imprisonment of 15 years and shall pay a fine of $300,000; and

c. If the quantity of the cocaine or the mixture involved is 400 grams or more, the person shall be sentenced to a mandatory minimum term of imprisonment of 25 years and shall pay a fine of $1 million.

MARIJUANA

Any person who knowingly sells, manufactures, grows, delivers, brings into this state, or has possession of a quantity of marijuana exceeding 50 pounds commits the offense of trafficking in marijuana and, upon conviction thereof, shall be punished as follows:

a. If the quantity of marijuana involved is in excess of 50 pounds, but less than 2,000 pounds, the person shall be sentenced to a mandatory minimum term of imprisonment of five years and shall pay a fine of $100,000;

b. If the quantity of marijuana involved is 2,000 pounds or more, but less than 10,000 pounds, the person shall be sentenced to a mandatory minimum term of imprisonment of seven years and shall pay a fine of $250,000.00; and

c. If the quantity of marijuana involved is 10,000 pounds or more, the person shall be sentenced to a mandatory minimum term of imprisonment of 15 years and shall pay a fine of $1 million.

METHAQUALONE

Any person who knowingly sells, manufactures, delivers, or brings into this state 200 grams or more of methaqualone (qualudes) or of any mixture containing methaqualone, as described in paragraph (5) of Code Section 16-13-25, in violation of this article commits the felony offense of trafficking in methaqualone and, upon conviction thereof, shall be punished as follows:

a. If the quantity of the methaqualone or the mixture involved is 200 grams or more, but less than 400 grams, the person shall be sentenced to a mandatory minimum term of imprisonment of five years and shall pay a fine of $50,000; and

b. If the quantity of the methaqualone or the mixture involved is 400 grams or more, the person shall be sentenced to a mandatory minimum term of imprisonment of 15 years and shall pay a fine of $250,000.

I BOUGHT IT; I CAN COPY IT; CAN'T I?

GRADE LEVEL: 6-7 **AUTHOR:** Emmett Mullins

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Copyright; copyright infringement; user's rights

MAIN IDEAS:

a. Copyrights are designed to protect the ownership rights of creative persons.
b. Infringement of these rights is a crime.

QCC CORRELATION:

Content

6-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people
7-5. Develops and interprets charts, tables, timelines, graphs diagrams and other graphic aids

Skills

6-16. Works within a group, following set rules of procedure, to complete an assigned task
7-25. Formulates and defends positions on an issue

INSTRUCTIONAL STRATEGIES:

Teacher directed questioning regarding the nature of copyright protection
Decision-making about illegal copying
Dramatic activity on copyright infringement
Making posters to remind others of copyright laws

OBJECTIVES:

The learner will:
--define and explain the purpose of a copyright.
--explain how copyright laws protect the works of authors and other creative persons.
--explain why copyright infringement is wrong.

TEACHER BACKGROUND:

Federal copyright laws are designed to protect the works of authors and other creative persons. Books, music, computer programs, records, art, and electronic recordings are examples of materials that may be given copyright protection. Illegally copying these materials for personal use and/or sale constitutes a copyright violation or infringement.

Infringing on a copyright denies the creator of the material the financial reward of his or her creativity. Thus, a financial injury occurs and the copyright holder may seek damages. Photocopying of printed material and illegally copying magnetic recordings (e.g. audio tapes, video cassettes) are common infringements of copyrights.

Transparency 2, Penalties for Copyright Infringement, indicates that infringers are liable for losses to the copyright holders. If they willfully make copies of a copyrighted work for financial profit, they violate federal criminal law.

In addition, Georgia makes the reproducing and sale of recorded material a crime (O.G.C.A. 16-8-60). It makes it unlawful for any person, or group of people, to transfer sounds or visual images recorded on a phonograph record, disc, wire, tape, videotape, film, or other article, without the consent of the person owning the master from which it was copied. It is also illegal to sell, distribute, offer for sale, circulate (or be in any way involved with these actions) such illegal copies.

For adults, violating this law is a felony, with punishment of a fine of up to $25,000 and/or imprisonment of 1-2 years. For a second offense, the penalty can be a fine of up to $100,000 and/or imprisonment of 1-3 years.

For children, violation would be a delinquent act. If a minor (under 18 years old) were found to have committed this offense, the penalty would be determined by the juvenile court judge.

MATERIALS AND RESOURCES:

Handouts

1. Robbery at the Record Store (three copies needed)
2. Decision-making chart

Transparency Masters

1. FBI Warning Label
2. Penalties for Copyright Infringement

Overhead projector; large size paper for making posters; crayons and markers

PROCEDURES:

1. Begin the lesson by drawing the copyright logo (a circle enclosing a lower case "c") on the chalkboard. Ask students where they have seen such a symbol and what it stands for. Discuss the types of goods that might bear the copyright logo (books, music, computer programs, records, art work, compact discs, cassette tapes, movies, etc.)

2. Ask students the purpose of a copyright. If an explanation is needed, give an example to the students of someone stealing another's work and getting the credit from it. Would it be fair, for example, if a project were assigned at school to do a report and make a poster for a particular purpose and one student stole another's project and poster, turned it in as his own work, and got credit for it?

3. Explain that copyright laws are made to help authors and other creative persons and businesses that reproduce and distribute their works protect themselves from this type of theft. Explain that the Copyright Office in Washington, D.C. is responsible for issuing copyrights in the United States.

Works can be registered with the copyright office by sending in the proper form, along with a small fee and a copy of the work. Works do not have to be published to be copyrighted. Published works must display a copyright notice.

4. Show Transparency 1 (FBI Warning Label) and ask students where they might have seen such a label. This label is the type of warning often shown at the beginning of a videotaped copy of a movie. Ask students to explain this warning.

5. Discuss why the warning might have been placed on the video cassettes. Ask students what some people do that is in violation of the copyright laws regarding video cassettes. Discuss the problem of the illegal taping of videos and ask how this is similar to the earlier example of theft of a student's project. Ask who is hurt by such illegal taping. How are they hurt? Give the following short example.

   A single videotape might cost as much as $79.95 retail.

   If one person rents a tape and makes an illegal copy for himself and two copies for friends, that's a loss to the company of $79.95 x 3 = $239.85.

   If done by 100 people in the same way, that is a loss of $23,985. Carried further:
      1000 people = $239,850
      10,000 people = $2,398,500
   This is a substantial loss to companies producing motion pictures.

6. Explain that this sort of illegal copying is called copyright infringement. Put the term on the chalkboard. Copyright infringement is the unlawful use of a copyrighted work. Copyright infringement is illegal and wrong. It is a stealing of another's work. Ask students for examples of copyrighted works that are often subject to copyright infringement. Such examples might be printed material that is photocopied, various types of sound recordings, computer programs, etc. Show Transparency 2, Penalties for Copyright Infringement, and discuss.

   Clarify that these are federal laws. Point out that Georgia also has laws making the reproduction and sale of recorded materials a crime. Use Teacher Background to explain Georgia law.

7. Tell students that they are going to read a skit in which one person suffers as a result of rampant copyright infringement.

8. Select three volunteers to read and give them copies of the skit, Robbery at the Record Store, Handout 1. After finishing the skit, ask the following questions:

   a. What copyright infringement took place?
   b. Who was hurt by the copyright infringements?
   c. How did people suffer because of the infringement?
   d. What makes the title of the skit appropriate?

9. Distribute the decision-making chart, Handout 2, and have the students work in groups of two or three to complete the chart. Pose the problem, "What should Ben do?" As discussion progresses and options are discussed, point out that most people will not get "caught" but will only have their consciences to punish them.

10. Distribute paper, crayons and markers for making posters. Tell students to make a sign reminding others of copyright laws. The signs could be specific to videos, computer programs, printed matter, or sound recordings. (Students could work in small groups or individually.) Post the signs in the classroom, around the school, and next to any duplicating machine.

11. Close with a review of the definitions of copyright and copyright infringement and by asking students to recall the kinds of creative works that may be copyrighted.

EVALUATION:

- Student responses to discussion, the decision-making chart, and the finished sign may be used as a means of informal evaluation.
- For a formal evaluation, ask the students to write paragraphs in which they define the term copyright, explain who is protected by copyrights, and explain why copyright laws are needed.

ENRICHMENT:

- Invite the owner of a local record shop in to discuss illegal copying of CDs, tapes, and records.
- Conduct a survey of students in your school to determine whether illegal copying is something they or their friends have done.
- Make posters to inform students of the copyright law.
- Invite the school media specialist to come in and discuss his or her responsibilities for the copyright law.

Handout 1

ROBBERY AT THE RECORD STORE

Characters: Ben; Robbie, Ben's friend; Sonja, Ben's sister

Setting: Ben is at the house listening to his boom box. His friend Robbie has just walked in.

BEN: Hey Robbie, this new tape you loaned me is great! I'd really like one of my own.

ROBBIE: Yeah, I like the music. It's got a good beat.

BEN: I wish I could get a copy. I just don't have the money right now.

ROBBIE: Hey, have you got a blank tape?

BEN: Sure, but...

ROBBIE: It's no problem! I can make a copy of the tape for you on my stereo at home. It's easy. Just give me the blank tape and I'll run home and get started on it.

BEN: Can you do that?

ROBBIE: I said it was no problem, and besides, I bought it, I can do whatever I want with it. Right?

(Robbie leaves and Ben ponders over what he just heard. After a moment, Sonja enters looking depressed.)

BEN: Hey, girl, what's going on?

SONJA: Nothing good, that's for sure. I just lost my after-school job at the music store.

BEN: Oh, no. You really liked that job. What happened? Did you goof up or something?

SONJA: No, nothing like that.

BEN: What, then?

SONJA: Mr. Johnson say he's got to cut back on his employees. He's just not making as much money as he needs to keep me.

BEN: His business seems okay. I know lots of kids at school have stereos and there is no shortage of music from his store.

SONJA: Yeah, well, he's not getting what he should. You know a lot of that music is stolen.

BEN: You mean shoplifting?

SONJA: Not just that. I mean copyright infringement. Kids make copies of tapes and CDs and then others don't buy them from the store. They just get an illegal copy from a friend.

BEN: How can making a copy be illegal? If a person buys a tape, he can do whatever he wants to with it. Right?

SONJA: No way! A person can listen to the music or give the tape away, but it is illegal to copy it and give the copy away. It's stealing from the music group, the recording company AND the music store. Let me give you an example; say a tape costs $8.95. (Sonja gets a pad and pencil and begins to figure.) If one illegal copy is made, the store loses $8.95 because the owner of the illegal copy will now not buy a legal copy from the store. Two illegal copies is a loss of $17.90. If those two people make two more copies, that's $53.70 and if all those people make illegal copies (pause) that's a loss of $125.30!

BEN: Wow, that's a lot of money.

SONJA: Yeah, money that could have been used to pay my salary.

(Sonja walks off. Later that day Robbie returns.)

ROBBIE: Here's your copy of the tape. I hope you enjoy it.

(Ben takes the tape, looks at it, and thinks.)

Handout 2

DECISION-MAKING CHART

Describe the Problem

List Three Alternatives

Alternative	Alternative	Alternative

Possible Consequences

Good	Bad	Good	Bad	Good	Bad

Final Choice

FBI WARNING LABEL

FBI WARNING	Federal law provides severe civil and criminal penalties for unauthorized reproduction, distribution, or exhibition of copyrighted motion pictures and video tapes.

PENALTIES FOR COPYRIGHT INFRINGEMENT

According to sections 501 - 510 of the Copyright Law of the United States, the court may order the impounding and destruction of disposition of any copies or phonorecords found to be made or used in violation of the copyright owner's exclusive rights. The copyright infringer is liable for the copyrighter's actual damages and any additional profits of the infringer and statutory damages.

In a criminal infringement (when a person infringes a copyright willfully and for purposes of commercial advantage or private financial gain), the infringer shall be punished as provided in section 2319 of title 18. In addition, the court may order the forfeiture and destruction of the infringed materials.

THE PRIVATE "I": WHOSE "I" MATTERS MOST?

GRADE LEVEL: 6-7 **AUTHOR:** Janice Mullins

TIME REQUIRED: Three class periods

CONCEPTS/ VOCABULARY:

Privacy; freedom; dignity; surveillance; wiretapping; search and seizure; warrant; data bank; confidentiality

MAIN IDEAS:

a. The right to privacy is a complex legal issue, with case law and constitutional roots at both the state and federal levels.
b. The right to privacy underlies the notion of freedom and is the basis of our claim to human dignity.
c. As with other democratic issues, the need exists to balance the best interests of society and the individual with regard to privacy issues.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

7-16. Works within a group, following set rules of procedure, to complete an assigned task
7-25. Formulates and defends positions on an issue
7-29. Presents viewpoint to others

INSTRUCTIONAL STRATEGIES:

Discussing the meaning of the term "privacy"
Brainstorming examples of the need for, or the right to, privacy and invasions of privacy
Role-playing privacy-related scenarios
Decision-making and problem-solving about privacy scenarios
Listening to teacher-given information about privacy issues and protections
Conducting a survey of parents' and others' views on privacy issues

OBJECTIVES:

The learner will:
--recognize that the U.S. Constitution and Georgia Constitution contain statements that provide the basis for the protection of privacy rights.
--define his/her own personal notion of privacy, as well as becoming familiar with other historical views of privacy.
--make decisions related to invasion of privacy.
--explain the purpose of privacy rights.

TEACHER BACKGROUND:

The notion of a citizen's right to privacy in our country is rooted in history, the U.S. Constitution, and many court cases. Early colonists were subjected to unwarranted searches and seizures at the hands of British soldiers. The development and ratification of our Bill of Rights provided a legal basis for defending our privacy rights. Many lower and higher court cases involve privacy issues.

Privacy related issues are often quite complicated. There are many areas of life that involve the right to privacy, and these rights often conflict with other interests of society. Privacy rights apply to individuals, groups, and businesses, and pervade society at large. Privacy rights are not absolute, but exist in relation to a particular time, place, and situation.

Recent technological innovations have further complicated privacy issues; electronic surveillance and computerized data banks are now realities that have altered significantly the ways in which our privacy can be violated. Areas of life that involve privacy issues include: computerized banking/credit transactions; lie detectors; national databanks/government information systems; wiretapping; employers' rights to and access to conviction records, psychiatric records, arrest records; search and seizure; admissibility of evidence; warrantless searches; roadblocks; marital relations; contraception choices; abortion rights; mandatory or random drug or AIDS testing; and the privacy of income tax return information.

Constitutional Background

The main protection for privacy rights is generally considered to be the Fourth Amendment. The Fourth Amendment was included in the Bill of Rights as a way to protect colonists against the type of search and seizure abuses practiced by British Crown Officers.

The Fourth Amendment states "...the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures..." Today, the Fourth Amendment is invoked not only in conventional police searches of homes or arrested persons, but in "body searches" as drug or AIDS testing, in electronic surveillance, and other areas.

Another Constitutional Amendment which speaks to the issue of confidentiality of personal information, a central privacy issue, is the First Amendment. The First Amendment has tended to prohibit governmental scrutiny of political expressions and associations.

The Third Amendment also relates to privacy; it protects against compulsory quartering of soldiers in private homes in time of peace. This was extremely important to early citizens; it carries with it echoes of the ancient maxim of English law, "a man's home is his castle."

The Fifth Amendment, with its protection against self-incrimination, has also been taken as a Constitutional basis for privacy rights. In addition, the Ninth Amendment has, especially in recent times, been used as a protector of privacy rights. The amendment says: "The enumeration in this Constitution of certain rights, shall not be construed to deny or disparage others retained by the people." This is significant, for nowhere in the

284

Constitution is "privacy," as such, mentioned. In spite of the fact that the word "privacy" is not mentioned, it seems clear that the intent of the framers of the Constitution was to protect the privacy rights of citizens.

The Constitution of the State of Georgia contains a Bill of Rights that is consistent with the U.S. Constitution's Bill of Rights. The Georgia Bill of Rights contains amendments that address freedom against self incrimination; unwarranted searches and seizures; freedom of speech, conscience, and religion; and the protection of person and property.

MATERIALS AND RESOURCES:

Handout:

1. Privacy: A Questionnaire

Attachment:

1. Privacy Scenarios

PROCEDURES:

Period One

1. Write the word **privacy** on the board. Ask students to brainstorm words and/or phrases that come to their minds when they think of privacy. (The teacher or a selected student should act as recorder for the class.)

2. Ask students to think of real or imagined invasions of privacy that have occurred or might occur. List these on the board.

3. Ask students: Is privacy important to you personally? To society? To democracy? What might be some of the consequences if privacy rights are violated?

4. Following this opening, form six groups and give each a different privacy scenario (Attachment 1). Circulate among the groups as they read and discuss their scenarios and provide probing questions to help the groups analyze their particular issues. Allow approximately 15 minutes for the groups to read and discuss their scenarios before presenting the situations and role plays to the class. As the scenarios and role plays are presented, relate the information in the Teacher Background to the students' comments. Try to foster genuine concern (and legitimate disagreement!) over the privacy issues that are involved.

Period Two

1. Complete any unfinished scenario sharing and role playing.

2. Share information about the constitutional basis of our right to privacy from the Teacher Background with the class.

3. Distribute the Sample Privacy Questionnaire, Handout 1. Review it and ask students to make suggestions about how to modify it in order to reflect their own wishes concerning the wording and focus of the questions. Make any necessary changes and discuss how to record information. Point out that the same questionnaire may be used

over and over if the data are recorded on a separate sheet of paper. Help the students establish a procedure to follow. (For example, number a sheet from 1 to 20. Read the question. Mark SA for Strongly Agree, etc.)

4. Assign the completion of the questionnaire as homework. Have each student survey at least one adult, and answer the questions for him- or herself.

Period Three

1. Help the students tabulate their results, separating the data into two groups, one set for the class, and the other for adult respondents.

2. Analyze the areas of agreement and disagreement. Probe to see if the students can offer any explanation for the differences or similarities. (For example, if the adults felt less strongly about the need for privacy in students' cubbies or lockers at school, how might that be explained? Do you suppose adults would feel differently if they were attending school? Do adults know something from experience that leads them to the conclusion that treating cubbies and lockers as private areas is unwise?)

3. Conclude the lesson by having the students write a one page essay either on the topic of privacy in general, or on a particular aspect of privacy represented in the scenarios or questionnaire.

EVALUATION:

- Review the students essays to determine what they have learned about privacy. As an additional test, request that student take and defend, in writing, a position on any of the privacy scenarios used in the lesson.

ENRICHMENT:

- Divide the class into teams and debate one or more of the privacy issues presented in the scenarios.

- Graph the results of the survey to provide a visual representation of the numbers. Make a poster for each item that sparks particular interest.

- Ask a police representative to come in and speak about criminal evidence, searches and seizures, etc. Ask a prosecuting attorney and a defense attorney to come and speak from a different viewpoint on the same topic. If possible, get the three together at the same time.

- Ask the students to be on the lookout for articles that appear about any of the related privacy issues. They could keep their own individual notebooks for several weeks, or they could bring articles in to the classroom for a class bulletin board or notebook.

- Ask students to write their own skits or scenarios dealing with privacy.

PRIVACY IN THE HOME

Suzanne is an eleven year old girl. She tells her younger sister Julie, nine years old, that she has a secret - something she does not want their Mom to find out. "I have something in my room and I can't let Mom find it! So I've got it hidden. Don't tell a soul my secret!" she says. Julie does tell their Mom. While Suzanne and Julie are at school, Mom searches Suzanne's room thoroughly...

DISCUSS THE GENERAL ISSUE:

1. Has Suzanne's privacy been violated? How?
2. Should Julie have told Mom? Did Julie violate Suzanne's privacy? Are communications between people private?
3. Should Mom have searched Suzanne's room without discussing it first? Did Mom violate Suzanne's privacy? Is Suzanne's room private?
4. Should circumstances change how you feel about privacy issues?
5. Should police have the right to enter and search a person's home if they suspect that a crime has been committed? Should the police be required to get a warrant for such a search?

NOW CONSIDER THE FOLLOWING ENDING:

Mom pulls out the drawers in Suzanne's desk and dresser, searching wildly. In the process, she pulls out and breaks a beautiful large, stained-glass window decoration. On it is a card which says, "To Mom, I love you, Suzanne."

DISCUSS:

1. Does the fact that Suzanne's secret was a gift change the fact that her privacy was violated?
2. If Suzanne's mother found a package of cigarettes instead of the present, would her sister's and mother's actions be more justified?

SELECT ONE OF THE FOLLOWING AND ROLE PLAY

1. Suzanne walking in on her mother as she is searching the room (but before her mother finds anything). Julie hears the words being exchanged between Mom and Suzanne and comes into the room too.
2. A dinnertime family discussion of what happened.
3. Suzanne confronting her sister about tattling.

PRIVACY AT SCHOOL

John has $20.00 hidden in his lunch box in his cubby at school. Immediately after school, his aunt is picking him up so he can buy gifts for the rest of his family for the holidays. In the classroom right before lunch, John discovers the money is missing. Very upset, he tells his teacher right away.

DISCUSS THE GENERAL ISSUE:

1. Has John's privacy been violated? How?
2. Is John's cubby private even though it belongs to the school?
3. Should other students have a right to go into and look through John's cubby? Should the teacher? Should the principal?
4. Should police have the right to search student's cubbies and lockers if they suspect a student of possessing alcohol or drugs? Should the police have a warrant for such a search? Is it right for every student to be subjected to the search?
5. Is everything that John might put into his cubby equally private? For example, is a note John has written to his friend more private than a textbook? Is money more private than a sheet reporting his test scores?
6. Should students have private cubbies or desks at school?

NOW CONSIDER THE FOLLOWING ENDING:

John's teacher listens briefly to his story but does nothing. She says "You'd better be more careful with your money in the future. Things aren't safe even in your lunch box." John complains briefly but walks away when his teacher adds that he should have never brought such a large amount of money to school in the first place. John's money is never found, and no further action about the loss is taken.

FURTHER DISCUSSION:

1. Did the teacher's actions help John recover his money? Did they promote or benefit the privacy claim John has on his cubby and lunch box? Do the teacher's actions promote the idea that all students' cubbies and lunch boxes should be private?
2. What if John's teacher lined up all the students and threatened to go through their cubbies, and, if necessary, their purses and pockets. How might this action promote or discourage students' privacy rights?
3. Is there a difference between what action could be taken if you don't know who might be guilty and if you do have a reasonable suspicion of who might be guilty?

SELECT ONE OF THE FOLLOWING AND PREPARE A ROLE PLAY

1. John talking to his aunt about what happened in school with his money.
2. John confronting a student whom he thinks stole his money.
3. The teacher talking to a parent who is angry about her searching his son's pockets for John's money.

ELECTRONIC EAVESDROPPING

The comic book spy advertisements had always interested Tommy. They said things like "Hear birds thousands of feet away," "Listen in on conversations in other rooms," and "Spy on your friends." The photograph showed a small parabolic dish with a headset. Now his order had finally arrived.

Opening the box was like opening an entire new world. He could hear birds all right. He could also hear arguments between Mom and Dad, the neighbor's dinner conversations, and much more. At first it seemed harmless enough, but then things turned different when he heard his parents discussing the trouble his father was having at work. His father was going to be laid off and that meant all sorts of bad things. The conversations went on late at night after his parents thought he was asleep. Sometimes there were arguments and long periods of silence. Sometimes the things his parents said scared him and made him want to tell them that he knew about their trouble.

DISCUSS THE GENERAL ISSUE:

1. Are Tommy's parents' conversations private? Does Tommy have a right to know what they discuss?
2. Is Tommy's use of the spy microphone to listen in on his parents' conversations appropriate? Why or why not?
3. Are there any conversations among family, friends, or strangers that it would be okay for Tommy to listen in on if the people did not know he was listening?
4. Should the police have the right to use such eavesdropping devices? Should they be required to get a search warrant in order to listen in on private conversations?

NOW CONSIDER THE FOLLOWING ENDING:

During one of the late night conversations there was a long period of silence. Sitting in the dark, Tommy was straining hard to hear anything. Suddenly the door to his room opened, the lights flashed on and in walked his parents.

FURTHER DISCUSSION:

1. Should Tommy confess that he has been eavesdropping on his parents?
2. If you were Tommy's parent, would you be angry? Why?

SELECT ONE OF THE FOLLOWING AND ROLE PLAY

1. Tommy trying to convince his parents that he was not eavesdropping.
2. Tommy and his parents discussing the problems caused by his father being laid off.
3. Tommy talking to a friend about what happened.

PRIVATE SOCIETIES

Darla was shocked to see the school newspaper's report that she was the president of a secret club. "That's nobody else's business" she thought angrily as she slammed down the paper. "That will probably ruin my chance to be the school's representative to the district student advisory council."

It wasn't a very big club, just a bunch of 12 or so girls who wanted to have their own secret password and socialize together. The club wasn't for just anybody, however. Few students knew about it and even fewer were asked to be members. In order to join, you had to be a girl and you had to come from a family with lots of money. You had to dress right and talk right. Most important of all, you had to be recommended by at least three of the other club members.

Just then the phone rang. It was a reporter from the school newspaper. She wanted to ask some questions about the club.

DISCUSS THE GENERAL ISSUE:

1. Does Darla have a right to belong to a private girl's club?
2. Is Darla's membership in the club a private matter or does the newspaper (and the students) have a right to know?
3. If Darla is going to run for a position that represents all of the students, should her membership in the club make any difference?
4. Should the police be allowed to keep track of the private clubs people belong to? Should they be required to have a court authorization for such data collection?

NOW CONSIDER THE FOLLOWING ENDING:

Darla refuses to be interviewed by the reporter or anyone else regarding the secret girls' club. She directs everyone in the club to stay quiet about its membership, secret password, and activities. In addition she asks everyone in the club to vote for her and to campaign for her in the election. The club goes to work for Darla and she easily wins the election.

FURTHER DISCUSSION:

1. Is Darla's use of her secret club membership appropriate?
2. Will Darla's continuing membership in the secret girls' club allow her to represent all of the students--even the boys--fairly?
3. Should membership in a private club be public knowledge for people who wish to serve as elected representatives?
4. What if Darla's membership in the club is fully exposed and explained. Does the fact that it is no longer a secret change how you feel about her running for office?

SELECT ONE OF THE FOLLOWING AND PREPARE A ROLE PLAY

1. Darla defending her membership in the secret club at the first student advisory council meeting.
2. What other candidates might say about Darla's win when the election results are announced.

COMPUTER CRIMINAL

The powerful new Gizmo 5000 computer on Phil's desk literally hummed with activity as it dialed and re-dialed the new Compu-Biz Communication, Information and Gaming Service (affectionately called C-B CIGS by its users). Each time a new account code was tried and each time the security shield program defeated Phil's Gizmo 5000. Suddenly the screen burst with color and the Main Menu came on the screen. This was it, Phil thought.

DISCUSS THE GENERAL ISSUE:

1. The C-B CIGS computer company established account numbers and passwords in order to keep unauthorized people from using their service and to protect legitimate users' private accounts. Does defeating their security system hurt anyone? How?
2. Is Phil's attempt to gain access to the C-B CIGS computer illegal?
3. What privacy issues are involved in Phil's computer code breaking activity?

NOW CONSIDER THE FOLLOWING ENDING:

Suddenly Phil found himself in a strange section of C-B CIGS. Account numbers, banking records, and all sorts of information on people was scrolling past his screen. The Auto Save function kept writing the data to his disk drive, so there would be plenty of time to review it later.

FURTHER DISCUSSION:

1. Phil has gained access to information that nobody is supposed to have. If we assume that he really didn't intend to get this information and that he has no plans to use it, has he violated the law?
2. Is privacy of information just as important as private property? Justify your answer.

SELECT ONE OF THE FOLLOWING AND PREPARE A ROLE PLAY

1. Phil receiving a call from a C-B CIGS investigator who has tracked down his illegal activity.
2. Phil talking to a juvenile court judge regarding his computer crime.
3. Phil's mother discovering his activity and confronting him about it.

BODY INVADERS

A strange announcement followed the opening bell at Washington Middle School. "Will teachers please administer the dose of PRO-TEST to each of their students at 9 a.m. sharp and report any negative reactions to the office immediately. Remember there will be no exceptions to this testing procedure."

The national anthem and a moment of silence dulled the queasy feeling some students had experienced right after the announcement, but a few individuals began to ask questions: "What is PRO-TEST?" "Why do we have to take it?" and "Do my parents know about this?" Some students defiantly claimed they would not take the dose of PRO-TEST, but Mrs. Jones stated that they would either take it now or they would take it in the principal's office.

DISCUSS THE GENERAL ISSUE:

1. Do schools have a right to test students in order to find out how well they think or whether they have communicable diseases?
2. Should parents have to give their permission for such tests? Should students be able to refuse a test even if their parents okay it?
3. Do schools have a right to probe students' minds for any kinds of thoughts or feelings? Do they have a right to probe students' bodies for any disease or medical condition?

NOW CONSIDER THE FOLLOWING:

Mrs. Jones explained that the PRO-TEST serum was a liquid that tasted a bit like bubble gum. Students would drink the small cup of the rosy-pink fluid and they would have no unpleasant feelings or side effects. The only visible result of the test would be the appearance of a reddish or bluish color in the palms of each student's hands. The reaction would take only minutes and everyone would hold up their hands to show the teacher.

"Blue indicates a normal reaction and red indicates an attitude problem that interferes with learning," said Mrs. Jones. She assured the class that the only purpose for giving the PRO-TEST serum was so that the school could help students who had poor attitudes do better in their school work and reminded those that didn't comply that they would be sent to the principal's office.

"Are you ready? We all want to do this at the same time..." she said.

FURTHER DISCUSSION:

1. Should a student's attitude be a private matter? Are some attitudes, like your attitude toward learning, important for authorities (such as teachers) to know?
2. If a serum test can be given that shows student's attitudes toward crime or their attitudes toward religion, should they be administered by the police department or the church?
3. Schools sometimes require students to have vaccinations against measles and other communicable diseases. How is this similar to or different from requiring students to take an indicator test such as the imaginary PRO-TEST serum used in this exercise?

SELECT ONE OF THE FOLLOWING AND PREPARE A ROLE PLAY

1. Several students reporting to the principal's office because they refused to take the PRO-TEST serum.
2. A brother (who showed red palms) and sister (who showed blue palms) telling their parents about what happened in the school that day.

Handout 1

SAMPLE PRIVACY QUESTIONNAIRE

Directions

We are conducting a survey of people's opinions about the importance of privacy. Please circle your answer to the questions below based on your own opinion rather than on your knowledge of what the law demands or permits.

One more thing. We want to be able to analyze our data by age and sex, so will you please begin by providing this information.

Age: 6 7 8 9 10 11 12 13 14 15 16-20 21-25 26-30 31-35 36-40 41-45 46 & up

Sex: Female Male

1. People should have a right to privacy in their homes.

Strongly Agree Agree Undecided Disagree Strongly Disagree

2. The police should have a search warrant before they can enter a person's home to conduct a search.

Strongly Agree Agree Undecided Disagree Strongly Disagree

3. Students should be allowed to have private cubbies or lockers at school.

Strongly Agree Agree Undecided Disagree Strongly Disagree

4. A teacher or principal should be allowed to search a student's cubby or locker if he or she suspects that the student has a stolen object or has something illegal.

Strongly Agree Agree Undecided Disagree Strongly Disagree

5. When an object is stolen at school, it is okay for all students' cubbies or lockers to be searched if that is what it takes to find the item.

Strongly Agree Agree Undecided Disagree Strongly Disagree

6. A child should have some privacy in his or her own home.

Strongly Agree Agree Undecided Disagree Strongly Disagree

7. Parents or guardians should be able to have private conversations without their children listening in.

Strongly Agree Agree Undecided Disagree Strongly Disagree

Handout 1 ctd.

8. Information such as tax returns and banking account balances should be private.

Strongly Agree Agree Undecided Disagree Strongly Disagree

9. A person's thoughts and attitudes should be private.

Strongly Agree Agree Undecided Disagree Strongly Disagree

10. Information about a person's health should be publicly known if the condition is contagious.

Strongly Agree Agree Undecided Disagree Strongly Disagree

11. The loss of a person's privacy is a serious matter.

Strongly Agree Agree Undecided Disagree Strongly Disagree

12. Elected officials should work to protect our rights to privacy.

Strongly Agree Agree Undecided Disagree Strongly Disagree

13. Police officers and courts should try not to violate our rights to privacy.

Strongly Agree Agree Undecided Disagree Strongly Disagree

14. Teachers and school officials should respect students' and parents' rights to privacy.

Strongly Agree Agree Undecided Disagree Strongly Disagree

15. People who are breaking the law often attempt to hide behind certain accepted rights to privacy.

Strongly Agree Agree Undecided Disagree Strongly Disagree

WHAT TOOK THE JOY OUT OF JOY RIDING?

GRADE LEVEL: 6-7 **AUTHOR:** Janice Mullins

TIME REQUIRED: Two class periods

CONCEPTS/ VOCABULARY:

Joy riding; auto theft; misdemeanor; felony; conviction; Youth Detention Center

MAIN IDEAS:

a. Joy riding is a popular term (not a legal one) for a young person taking someone's car without permission to drive around in, and then abandoning it.
b. If caught joy riding, the legal term for the criminal act committed is "auto theft."
c. Although usually tried as a juvenile, the trial judge has the authority to try the suspect as an adult if an accident with serious injury (aggravated assault) occurs.

QCC CORRELATION:

Content

7-15 Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-17 Demonstrates through classroom activities the necessity for rules in an ordered society

INSTRUCTIONAL STRATEGIES:

Taking a pre-test on joy riding/auto theft
Reading and discussing legal information on joy riding and auto theft
Role playing decision scenarios regarding joy riding/auto theft
Taking post-test on joy riding/auto theft

OBJECTIVES:

The learner will:
--define joy riding and auto theft.
--roleplay situations involving joy riding/auto theft.
--practice saying no to joy riding.

TEACHER BACKGROUND:

Georgia has state laws that are designed to protect owners of automobiles from theft. The laws make no distinctions whatsoever between joy riding and auto theft. When a person is apprehended in the act of joy riding, or after joy riding is completed and the automobile has been abandoned, the criminal offense is auto theft.

Auto theft is defined as entering an automobile or other motor vehicle with intent to commit theft or a felony. This section of the Official Code of Georgia Annotated (O.C.G.A.

16-8-18) states: "If any person shall enter any automobile or other motor vehicle with the intent to commit a theft or a felony, he shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one nor more than five years, or, in the discretion of the trial judge, for a misdemeanor." This definition means that the driver and all passengers are equally responsible when joy riding.

Preston v. State, 183 Ga. (1987) established the precedent that felony punishment for theft of motor vehicle, regardless of value, is permitted, and requires evidence of value exceeding $100.00 only where a motor vehicle part or component was the subject of the theft.

Henderson v. State, 167 Ga. (1983) established the precedent that the moment one removes property from the place it is kept with intention of stealing it, the crime of theft by taking is complete, regardless of any consent that may be obtained subsequently from the owner. This is true regardless of the length of time the vehicle is stolen. All that must be proven is that the vehicle was taken without the owner's authorization.

Although Georgia's penalties for theft convictions stipulate that a person may be punished for a misdemeanor at the discretion of the trial judge (first offense only), felony punishment, regardless of value, is permitted for auto theft. According to subsection (a)(4)(a) of O.C.G.A. 16-8-12, a first conviction for auto theft can result in imprisonment for not less than one nor more than 20 years; a second conviction results in imprisonment for not less than three years nor more than 20 years, no portion of which may be suspended, probated, deferred, or withheld; and any person convicted of a third offense shall be punished by imprisonment for not less than ten years nor more than 20 years, no portion of which may be suspended, probated, deferred, or withheld.

No legal distinctions are made as to whether the vehicle was locked at the time of theft, or if it was left unlocked with the key in it. The offense is the same.

Most joy riders are between the ages of 13-16. Youths until the age of 18 are tried as juveniles. However, at the discretion of the trial judge, a youth--even a 13-year-old--may be tried as an adult if he or she committed an act punishible by death, or life in prison,such as aggravated assault or an accident in which a serious injury occurred.

MATERIALS AND RESOURCES:

Handout

1. Joy Riding Pre- and Post-Test

Attachment

1. Joy Riding Decision Scenarios

Transparency Master

1. What Is Joy Riding? Remember...

Overhead projector; board and chalk; newspapers and magazines; construction paper; markers, and art supplies

PROCEDURES:

Period One

1. Write the word **joy riding** on the board. Ask the students to brainstorm words and/or phrases that come to their minds when they think of joy riding. Write their responses

on the board. Ask what they think the "legal definition" of joy riding is. (There is no legal definition of joy riding.)

2. Write the word **auto theft** on the board. Ask students to brainstorm words and/or phrases that come to their minds when they think of auto theft. Ask what they think the legal definition of auto theft is. Compare and contrast the two lists. Does the second list contain words that are more serious?

3. Distribute Handout 1, Joy Riding Pre and Post-Test, and ask students to answer each question True or False. Tell the students you are going to inform them about some of Georgia's laws pertaining to joy riding and auto theft. Read or summarize the information in the Teacher Background. Ask students to listen for information that might give the correct answer to each question. Discuss responses and the legal information with the class.

   Answers are: (1) F, (2) F, (3) T, (4) T, (5) F, (6) F, (7) T, (8) T, (9) T, (10) F

Period Two

1. Review the main points from Period One.

2. Show Transparency 1, What Is Joy Riding? Remember..., and go over each point in the acronym.

3. Divide the class into four small groups and give each a joy riding decision scenario from Attachment 1. Ask each group to plan a brief role play that involves students who are arguing over whether to take a joy ride. Discuss each role play immediately following its presentation. Reinforce the students' reasons for not stealing the vehicles.

4. Administer the pre- and post-test again, either individually or as a whole class activity. Ask students if they think they are better informed now than they were before this lesson.

EVALUATION:

- Compare the pre-test and the post-test results.

- Ask students to list five ways to say no to joy riding.

ENRICHMENT:

- Ask students to plan and design "Say No To Auto Theft and Joy Riding"posters and/or bulletin boards which can be displayed for other students to see.

- Ask a representative of the police department or sheriff's department to come in and speak about joy riding and auto theft.

- If there is a Youth Detention Center nearby, ask a representative to come in and speak to the class about a typical day for the inmates.

Handout 1

JOY RIDING PRE- AND POST-TEST

True False 1. When a juvenile is caught joy riding, only a warning will be issued if it is a first offense.

True False 2. If a juvenile is caught joy riding a second time, the criminal charge is "joy riding," which is always a misdemeanor.

True False 3. Joy riding occurs when a young person takes or participates in taking a car without permission.

True False 4. If a person is caught joy riding, the criminal charge is auto theft.

True False 5. If parents report a missing car as stolen and later find out their own child was joy riding and returned the car the next day, no criminal offense has occurred.

True False 6. If the value of the stolen vehicle is less than $100, the charge is a misdemeanor.

True False 7. Youths of 13-16 years old may be tried as adults for auto theft under some circumstances.

True False 8. Conviction for auto theft may result in imprisonment even on the first offense.

True False 9. Upon second or subsequent convictions, the sentence of imprisonment imposed by the judge may not be suspended or probated.

True False 10. If a car is left unlocked with the keys in the ignition, auto theft charges cannot be made.

WHAT IS JOY RIDING? REMEMBER...

J = Juvenile who takes a car--any car--without permission and drives it.

O = Officer of the law who catches the juvenile (usually 13-16).

Y = Youth Detention Center, where the sentence imposed by the trial judge will be served upon conviction.

JOY RIDING BRINGS HEARTACHE, NOT JOY!

R = Riding around in a stolen car can result in serious trouble.

I = If you have a wreck with a serious injury you could be tried for aggravated assault.

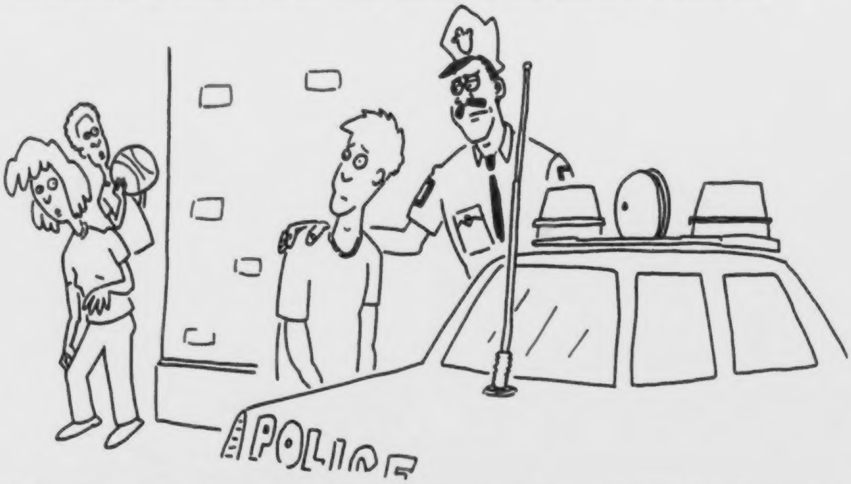
D = Don't agree to get into a car that you know is stolen or borrowed without permission.

I = Ignoring the law on auto theft is just plain dumb.

N = No amount of pleading or explanation will get you off the hook, if you are caught as the driver or passenger of a stolen vehicle.

G = Going to the Juvenile Court is not a good trip.

REMEMBER, JOY RIDING IS PUNISHED AS AUTO THEFT!



Attachment 1

JOY RIDING DECISION SCENARIOS

Scenario #1

Beth, June, and Susie are fifteen years old. They are good friends and are spending the night together at Beth's house. Beth's parents are leaving to go to dinner and a movie. "We'll be back around eleven, girls. You can order a pizza and watch a video. Grandma is upstairs if you need her."

Not too long after her parents depart, Beth suggests that all three of the girls take her mother's car, and drive over to the school basketball game, have fun there, and get back home by 10:00. (The keys are on the hook. Beth says she knows how to drive). She tells grandma they're walking over to Susie's and will be back by 10:00.

Role play: The girls disagree over taking the car. Beth wants to take the car, but June and Susie argue against it.

Discuss:

1. What are possible consequences of this action? Include best and worst cases possible.
2. How will Beth's parents feel if they find out--even if the car is returned safely?
3. How is Beth likely to act in the future if she "gets away with it?"
4. What should Beth and Susie do?
5. Are June and Susie responsible for auto theft if they go along with Beth?

Scenario #2

A group of boys, aged 13-15 years old, have a club. The initiation requires that a boy take a car, pick up four old club members, go joy-riding, and then ditch the car in a pre-designated spot. Although Daniel knows this is wrong, he really wants to be a club member. Members are cool and have a lot of fun; it's not a gang, and except for the initiation, they commit no crimes. After Daniel picks up the other fellows, a police car turns on his siren and begins to pursue Daniel. Daniel, scared, speeds up and turns a corner too sharply, hitting another car rounding the same corner. The driver of the other car is seriously injured and rushed to the hospital.

Role Play: Daniel talking with his parents about what happened.

Discuss:

1. What will the police officer charge Daniel with upon apprehending him?
2. How do you think the judge will react to this offense when Daniel is brought in as a juvenile?
3. What might Daniel have said or done to have avoided taking the car?
4. What will happen to the passengers?

Scenario #3

The group of four 15 year-old teenagers could hardly believe their eyes. Parked right there in the school lot was a brand new red Mercedes convertible with the top down. "This is what I want when I graduate," said Gil. "Look at the leather seats! Let's try them out."

Before another second passed Gil was sitting in the driver's seat. Jane got in the back with Tom and pretended to be a glamorous model. "Start it up, honey. Let's go out to my new movie." she said.

Just then Gil saw the keys on the floor mat by the driver's seat. "Hey! Look at these!"

Sally knew that this was just too much temptation. A red Mercedes convertible with the keys left in it...Tom, Gil, and Jane already sitting in the car... This was crazy. It looked like trouble.

Role Play: Role play what Sally could do or say to prevent the others from stealing the car.

Discuss:
1. Does the owner of a car have a responsibility to lock the vehicle and take his or her keys?
2. Will a juvenile court judge be more lenient with the teenagers due to the circumstances?
3. If the students knew that the car belonged to a rich friend would it be all right to take it for a joy ride?

Scenario #4

The large van used for trips to wrestling matches was parked outside the gymnasium. Coach Buford had placed the keys above the visor. As the team members finished their matches and returned to rest in the van, Sparky, the team's smallest wrestler began playing like he was driving back home. He got the keys and started the engine to the van. "Let's drive the van around the corner so Coach Buford thinks it's stolen" he said.

One or two students said yes, but others objected.

Role Play: Role play the group of wrestlers as they attempt to make their decision about moving the wrestling team's van.

Discuss:
1. What could be the consequences of moving the van?
2. What courses of action are available to students who don't want to get into trouble?
3. What would the law do to Sparky and the other boys if they get caught during or after moving the van?

A THIEF BY ANY OTHER NAME

GRADE LEVEL: 6-7 **AUTHOR:** Janice Mullins

TIME REQUIRED: Two class periods

CONCEPTS/ VOCABULARY:

Theft; burglary; felony; misdemeanor; intent; larceny; robbery; deception; extortion

MAIN IDEAS:

a. Georgia laws define and prescribe penalties for theft crimes.
b. There are several different types of theft crimes.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people
6-18. Works with others using democratic principles

Skills

6-12. Formulates possible alternatives and solutions to a problem
7-14. Chooses a reasonable solution from among the various alternatives

INSTRUCTIONAL STRATEGIES:

Defining and discussing different kinds of theft
Brainstorming offenders' motivation(s) for burglary and other forms of theft
Reading dramatic skits about different kinds of theft
Conducting a mock hearing of a theft case

OBJECTIVES:

The learner will:
--define terms such as burglary, theft, and larceny.
--describe what might happen to a juvenile who was taken into custody for a theft offense.

TEACHER BACKGROUND:

Georgia, like other states, has laws that protect citizens' property rights. Handout 1 defines some of the kinds of thefts; penalties for adults convicted of these follow:

Burglary:

1st conviction--imprisonment for not less than one nor more than 20 years (O.C.G.A. 16-7-1)

2nd conviction--imprisonment for not less than two nor more than 20 years (Note: imposition of sentence shall not be suspended, probated, etc. for 2nd or 3rd offense O.C.G.A. 16-7-1.)

Theft by shoplifting:

1st conviction--misdemeanor, if value of less than $100.00 (O.C.G.A. 16-8-14)

2nd conviction--in addition to or in lieu of any imprisonment, defendant shall be fined not less than $250.00 and the fine shall not be suspended or probated

3rd conviction--in addition to or in lieu of any fine, defendant shall be punished by imprisonment of not less than 30 days, and imprisonment shall not be suspended.

4th conviction--upon this offense, defendant commits a felony, and shall be punished by imprisonment of not less than one nor more than ten years; the first year of such sentence shall not be suspended.

Theft by shoplifting: (felony, if value of more than $100.00) - imprisonment of not less than one nor more than ten years (O.C.G.A. 16-8-14)

Theft by extortion: imprisonment of not less than one nor more than ten years (O.C.G.A. 16-8-16).

Theft by taking, larceny, and theft by deception: all are misdemeanors if the value of the property stolen is $500.00 or less in value; otherwise they are felonies. Thefts, exceeding $5.00 may, at discretion of trial judge, be punished as for a misdomeanor

Financial card transaction theft: a felony, with a fine of not more than $5,000.00 or imprisonment for 1-3 year, or both (O.C.G.A. 16-9-31, 16-9-38(b)).

Children under 18 years old taken into custody for these acts appear before the juvenile court. If the child is found to have committed the acts, the juvenile court judge determines the treatment. The degree of punishment depends largely on the severity of the crime and the child's record. For example, a first offender might receive court supervision (probation) for a year with conditions. A repeat offender could be committed to the Division of Youth Services who could, in turn, commit him or her to a youth development center (YDC).

Some of these acts come under what is defined as a "designated felony act, " in which specific acts such as armed robbery, a 2nd offense of burglary are named. The law in which these acts are defined allows the judge to prescribe a more severe punishment. For a designated felony, a child 15 or over could be transferred to the adult court.

MATERIALS AND RESOURCES:

Handouts

1. Definitions Related to Theft
2. The Case of the Extorted Lunch Money
3. Need a Lift?

PROCEDURES:

Period One

1. Write the terms below on the chalkboard, allowing space for definitions: Theft By Taking, Burglary, Larceny, Robbery, Theft By Deception, Theft By Shoplifting, Theft By Extortion, Financial Transaction Card Theft, Felony, Misdemeanor, Intent, Deception.

   Ask the students what they think the terms mean. What are the distinctions among the terms? Discuss and record responses, but don't spend too much time on this introductory activity.

2. Inform students that Georgia has laws to protect property from theft and theft-related crimes. Explain that the first eight terms are some of these crimes. Distribute Handout 1, Definitions Related to Theft, and carefully review the legal definitions. Compare student "guesses" with legal definitions. Discuss.

3. Distribute Handout 2, The Case of the Extorted Lunch Money. Assign roles for reading aloud in class.

   After the reading, explain the follow-up activity. This is to be a modified mock school hearing, with students continuing in their parts, but improvising the dialogue.

   Clarify that the other students will act as a "jury." They will determine what punishment Cedric should receive within the school setting.

   After they have reached a decision, point out that this is a fictional hearing. Theft by extortion is a serious offense, and, in real life, Cedric could well have been taken into custody and gone to the juvenile court.

   Discuss the following questions:

    1. Should Rob have taken his case to juvenile court?
    2. If that had happened, what would have been an appropriate punishment? (See Teacher Background.)
    3. Have students had experience with theft by extortion? If so, let them explain how it was dealt with. Would any of these solutions have worked in this case?
    4. What can be done to discourage or prevent this kind of crime?

Period Two

1. Distribute Handout 3, Need a Lift? Assign roles for reading aloud in class. After the play, explain the follow-up activity. Divide the class into groups so they can further discuss the problem of theft by deception. Group 1 will be police officers, including Officer Mooney. Group 2 will be the city council members. The mayor will preside. Group 3 will be a Senior Citizen Task Force, including Mrs. Whitney. Group 4 will be convicted con men, including Mr. Myers. Groups should discuss the questions

provided on the follow up sheet, and come back with their responses. Compare the groups' responses. Try to seek class consensus.

2. Review the other thefts on Handout 1. Divide the class into five groups, and assign a "crime" (not one of "skit" examples nor larceny, which is too close to theft by taking) to each. Ask each group to suggest a skit scenario for that crime. (Allow no more than five to ten minutes for this.) Have them share ideas with the class.

3. Discuss the consequences of the crimes listed on Handout 1. (See Teacher Background). Discuss what would happen if the person committing the crime were under 18 (a juvenile). If a first offense, the person would probably be on probation, with various conditions like attending school, curfews, special programs, etc. Repeated offenses could result in incarceration in a youth development center.

4. Discuss theft. Why do people commit various types of theft? Ask the class for suggestions for ways to reduce theft. How can people protect themselves? List suggestions on board or chart paper.

EVALUATION:

- On one side of a sheet of paper, ask the students to write definitions of the terms presented in the lesson. On the other side, ask them to identify the likely consequences to juveniles who have committed theft crimes of different severities.

ENRICHMENT:

- Assign students to groups to brainstorm, plan, and write their own dramatic skits and follow-up activities, illustrating other theft-related offenses. Using the first two dramatic skits provided as examples, let students plan, present, and conduct the skit and follow-up activities.

- Invite someone from the police department or court system to talk with students about theft offenses. Ask them to include any local and/or state statistics they may have relating to the number of arrests and convictions of young people on theft and related charges.

- Collect and display on classroom bulletin board articles on theft-related offenses.

- Make posters illustrating ways to guard against theft, consequences of theft, etc.

DEFINITIONS RELATED TO THEFT

KINDS OF THEFTS:

THEFT BY TAKING - unlawfully taking, being in possession of, or appropriating another's property with the intention of depriving him/her of the property (whether permanently or temporarily).

LARCENY - similar to theft by taking

BURGLARY - act of entering or remaining within a building, vehicle, railroad car, watercraft, aircraft, etc., with the intent of committing a theft or felony.

ROBBERY - committing theft using intimidation (threat of force), force, violence, or sudden snatching.

THEFT BY DECEPTION - obtaining property by intentionally using deceitful means and false representation to deprive owner of the property, including cheating and swindling (includes offenses such as defrauding city out of large quantity of water by altering the water meter, for example).

THEFT BY SHOPLIFTING - acting with the intent to take merchandise for his/her own use without paying for it, or by altering the price tag, interchanging the price tag, etc., to deprive the owner of part of the property's value.

THEFT BY EXTORTION - unlawfully obtaining property by using threats. Threats may be to inflict injury, spread information impairing a person's credit or reputation, take or withhold action as a public official, strike, boycott, etc.

FINANCIAL TRANSACTION CARD THEFT - taking such a card without cardholder's consent with the intent to use it, sell it, or transfer it. This includes receiving and retaining possession of a card when one knows it has been lost or delivered under mistake of identity or address.

KINDS OF CRIMES:

FELONY - a major crime, usually determined by the dollar value of the property taken in theft case, for example. A felony is any crime punishable by death, life in prison, or more than 12 months in prison.

MISDEMEANOR - an offense less serious than a felony (value taken in theft case, for example, may be less than $100.00).

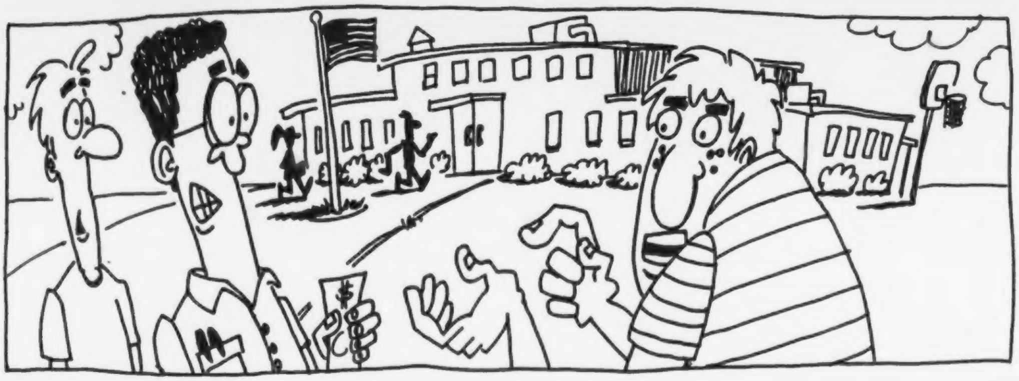
OTHER TERMS:

INTENT - someone's intention, aim, purpose, or plan.

DECEPTION - act of misleading: misrepresentation, fraud.

Handout 2

THE CASE OF THE EXTORTED LUNCH MONEY



Characters:

ROB - a tall, slender boy, 11 years old, 6th grade; an honor roll student and member of the school tennis team. His parents both hold good jobs.

CEDRIC - a tall, muscular boy, 13 years old, 7th grade. His teachers call him "an underachiever." He is smart, but his mind is not on his grades. He's good at football but is academically ineligible for the school team.

MIKE - Rob's best friend, an average student, an avid sports fan.

MS. PARHAM - the counselor at the middle school.

MRS. STUART - 6th grade social studies teacher.

JENNIE - a pretty, popular girl; member of the Student Council and school tennis team.

Scene 1 (outside the middle school on the front steps before homeroom bell rings)

Mike: Hey, Rob! How 'ya doing, man? Did you see the basketball game last night? That was such as awesome show by Jordan!

Rob: Hi, Mike. Naw, I was too busy working on my social studies project after tennis practice.

Cedric (walks up to the two of them): Yo, Mike! I saw the game, man! Totally awesome! (punches Rob in the arm, hard) Social studies project ?!? Whatcha', crazy or something? (Homeroom bell rings: Mike walks off toward his wing of the building). So Rob, how about a little (clears throat) loan, my friend, of the necessary funds for my social outing Friday night? Seriously, dude, I need some cash so I can go to the football game...I happen to be temporarily empty-handed, if you know what I mean.

Rob: Aw, forget it, Cedric, get lost, man!

Cedric (punching him again, harder, in the arm): You're loaded, pal! You were born with the old silver spoon in your mouth! Now, your lunch money this week will do nicely - you won't even miss it. You can charge your lunch and get the money later from your folks to pay the charge. I want installment number one now. I suggest you cooperate, or else! Next time, it won't be your arm, and it won't be here at school. Me and my friends will be waiting for you when you least expect it!

Rob: Ah, here, man (taking money from his pocket and handing it over). Now leave me alone! (They both move toward the main building.)

Scene 2 (6th grade hallway, Mrs. Stuart's class)

Mrs. Stuart: What distinguishes latitude from longitude? Rob? (He is staring pensively out the window, turning his pencil over and over again absent-mindedly)...Rob?

Rob: What? What? Ah, I don't know, Mrs. Stuart! Don't know and don't care! That stuff is boring! (Her eyes widen in surprise, but she calls on Mike, whose hand is waving eagerly in the air. After he answers correctly, the bell rings.)

Mike: What's eating you, man? You're like in another world lately! Geography is supposed to be your ace subject. You won the geography bee last year.

Rob: Lay off me, Mike! Leave me alone!

Scene 3 (the counselor's office)

Mrs. Stuart: So you see, I'm puzzled--and worried, too! Rob has been my star student all year. But just lately, the past few days, he's been absent-minded and rude--not at all like himself.

Ms. Parham: Do you think there's trouble at home?

Mrs. Stuart: Well, I don't think so . Of course, I'm not certain, but it doesn't seem likely.

Ms. Parham: I'll talk to him--sound him out--see what I can discover. Thanks for coming in, Mrs. Stuart.

Scene 4 (later that day)

Ms. Parham: So, Rob, how's everything going for you lately?

Rob: Just fine, Ms. Parham.

Ms. Parham: Well, I've heard, Rob, that something seems to be troubling you recently. Someone who cares about you has been in...

Rob: That rat, Mike! How could he be such a little squealer?

Ms. Parham: No, Rob, not Mike. But please tell me, so I can help.

Rob: Well, there is something, actually, but I feel so stupid to have let it happen. It's...it's a guy here at school, a bully, and he's taking money from me; he threatened to beat me up--he and his friends after school one day--if I didn't give it to him. And he always punches me whenever he sees me, anyway. You know, I feel so spineless, but I don't want to get beaten up; we've got a big tennis match coming up this weekend and...

Ms. Parham: Oh, I see, so it's like that ! Well, you know Rob, sometimes people like that --bullies--they don't stop once they get a foothold. They just keep on demanding more and more. The law has a term for it, extortion. Have you ever heard of it?

Rob: Yes, I have. But I thought that was like big-time gangsters threatening a small business owner, and stuff like that. You know, a real crime.

Ms. Parham: Isn't it just the same thing, only on a different scale?

Rob: Yeah, I guess so.

Ms. Parham: Well, what do you think you should do about it?

Rob: I don't know. I guess I need time to think about it, Ms. Parham. I'm just not sure.

Ms. Parham: Okay, Rob. I'm here when you're ready.

Scene 5 (the Student Council meeting)

Jennie: Okay, I'd like to welcome you here this afternoon. It's my turn today, as a member of the Executive Council, to chair our meeting. First, is there any new business? (not looking up) Then, let's move right along to a reading of the...

Rob (clearing throat): Ahem, I do have some new business...

Jennie: Oh, Rob! It's you! Well, what is it? About the tennis match coming up...

Rob: No, actually it's something else. I understand from reading the school constitution that a student can bring up charges before the Executive Council to request a hearing.

Jennie (surprised): Yes, that's right...

Rob: It's about extortion. Extortion right here at this school. You see, it's like this...

THE END

FOLLOW UP

Continue your parts at a mock school hearing. Jennie is to conduct the hearing, presiding as a judge would. She calls Rob, Cedric, and Ms. Parham to testify. The rest of the class acts as a "jury."

Jennie to Rob: Explain why you came to the Student Government to request this hearing. Exactly what happened before Ms. Parham spoke to you? Explain what happened between you and Cedric, etc.

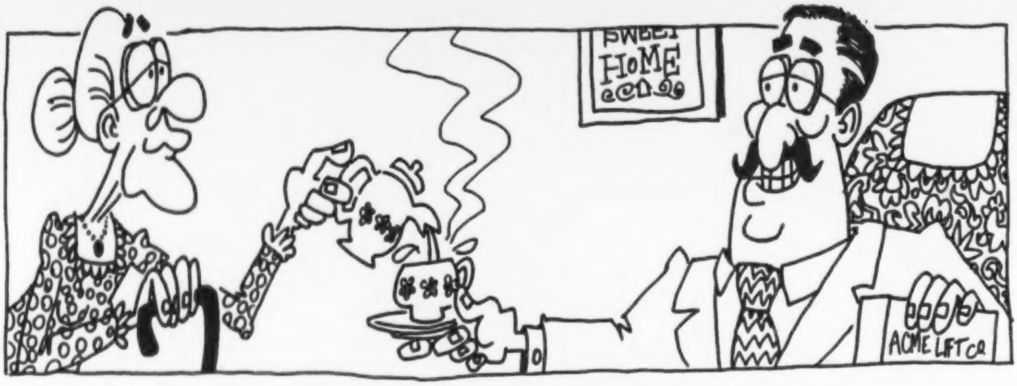
Jennie to Cedric: You have admitted that you did what Rob said. Explain why you acted as you did. Why should you not be suspended, expelled, or placed in in-house detention?

Jennie to Ms. Parham: Explain to the student government members what extortion is and how it could adversely affect Rob and the student body. Also, explain why a student might commit this offense, and what punishment you suggest if he or she is found guilty.

Ms. Parham then explains the charges and the penalties (you can also create your own, such as after-school detention, counseling, etc. The remainder of the class will act as a jury to discuss what Cedric's penalty should be. It must be within the framework of the school setting. Probation, fines, incarceration, etc. are court punishments.

Handout 3

NEED A LIFT?



Characters:

MRS. WHITNEY - a widow in her 70s who lives alone in an old three-story home in an old comfortable neighborhood. With her silver hair and pleasant smile, she is still an attractive woman, well liked by all who know her.

MR. AND MRS. CURTIS - her neighbors, a couple in their thirties. They both work during the day but visit with Mrs. Whitney in the evening and on weekends, often helping her with heavy chores.

MR. MYERS - a con man; he is well dressed, attractive, and articulate, in his forties.

OFFICER MOONEY - a police investigator, in his late forties.

Scene 1 (Mrs. Whitney's front yard, early one spring evening)

Mrs. Curtis: What a beautiful evening! Your azaleas are so gorgeous, Mrs. Whitney.

Mrs. Whitney: I do believe the azaleas are prettier than ever this year! Of course, I've been saying that for forty years now!

Mr. Curtis: That's a long time. I can't believe we've been here three years already! It seems like just yesterday we moved in, and you were bringing us delicious dinners and desserts to keep us going. I wish it could stay like this forever.

Mrs. Whitney: Yes, my dears, but you'll discover in time, some things don't remain the same. You know, this old home is getting to be too much for me with the stairs! Now, I'm constantly terrified of a fall, even a little fall. My friend Joanie fell two weeks ago going down her basement steps and broke a leg. Now she's in the Church Retirement Home!

Mr Curtis: You know anything we can do to help, we will.

Mrs. Whitney: I know, but you can't climb those steps for me! My spirit is young, it's just these creaky old stiff bones that get me down! But the day I can't live here, where I lived my entire life, where I raised my family--well, then it's just time to fade away...

(The three sit quietly, deep in thought, as the sun sets.)

Scene 2 (The next day at Mrs. Whitney's)

Mrs. Whitney (answering telephone): Hello, Heather Whitney speaking.

Mr. Myers: Good morning, Mrs. Whitney. This is Mr. Myers calling, with Myers Home Help Construction Company. I did some work recently for your church. I don't call on people door to door, so I wanted to let you know of a special we'll be running this summer.

Mrs. Whitney: Oh, really? What is it?

Mr. Myers: Installing home lifts. We install elevators in residential properties, Mrs. Whitney. They're particularly useful for eliminating the need to climb stairs, promoting home safety, and avoiding the risk of accidents. They're handy for moving heavy objects up and down.

Mrs. Whitney: Goodness, that makes sense, doesn't it? Why I've never thought about an elevator at home. That could really help me a lot!

Mr. Myers: Yes, ma'am. And as I said, we'll be running a special this summer. Of course, it's a somewhat complicated process to install a home lift, and I must plan my schedule now. I can only install twelve; four a month. So, I must take reservations now.

Mrs. Whitney: I'm definitely interested!

Mr. Myers: We could work you in first in June, if we can get the preliminaries done. Perhaps I could call on you. Hold on a moment, please. Let me see. Hmmm...I've had a cancellation this very afternoon at 2:00, but that may not be convenient at such short notice!

Mrs. Whitney: Not at all, it would be most convenient.

Scene 3 (Later that same day)

Mr. Meyers (Looking up from figuring): Yes ma'am, if we start with you and the entire crew works on this, I can have the lift system operational by the end of June.

Mrs. Whitney: Oh, Mr. Myers, that would be a life-saver to me! It must be terribly expensive though.

Mr. Meyers: Naturally, there are a lot of expenses with such a project, but we will offer a 20 percent discount this summer. With your needs, we're talking about a total delivery cost of $22,500. I'll need a 20 percent deposit to hold the work reservation, that's $4,500.

Mrs. Whitney: Well, it is a lot of money, but not so much as having to move out of my home and into an old folks' home! I want to sign up today! Please give me a moment to get the deposit, Mr. Myers.

Mr. Myers: Fine, I'll just fill in the contract papers for you then. (Mrs. Whitney leaves the room and returns, handing Mr. Myers $4,500 in cash. They each sign the papers and exchange handshakes.)
Mr. Myers: Very good, Mrs. Whitney. We'll be back in two weeks to begin work. Good day. (He leaves.)

Scene 4 (Two weeks later, Mrs. Whitney's front yard, dusk)
Mrs. Whitney: I just don't understand it! Perhaps I got the date mixed up. But on the contract, it says...I tried today to call Mr. Myers to check, but the operator said she had no such listing, and the number on his card is out of service.

(Mr. and Mrs. Curtis look at each other grimly.)

Mr. Curtis: Mrs. Whitney, did you, ummm...give this man any money yet?

Mrs. Whitney: Well, yes, a deposit, of course...

Mrs. Curtis (gently): What was it, $100?

Mrs. Whitney: Oh no, this is a big project! I gave him $4,500!

Mr. Curtis: You need to see if it's too late to stop payment on the check.

Mrs. Whitney (sadly, awareness slowly dawning on her): No, it is too late. I gave Mr. Myers cash. (She breaks into tears.)
Mr. Curtis: I'm calling the police!

Scene 5 (Mrs. Whitney's living room shortly thereafter)
Officer Mooney: Can you describe the man? Also, any cards, paperwork, anything at all that he might have left with you?

Mrs. Whitney: Yes, I have that all together here. He was such a nice-looking man, with an expensive suit, and nice talking, too!

Officer Mooney: Yes , ma'am, they usually are, I'm afraid. But I'm also afraid he's long gone by now. If we could just figure out a way to stop these crooks!

Mrs. Curtis: How can anyone be so low down?

Officer Mooney: Easy ma'am, they're charming and persuasive, but they're thieves!

Mrs. Whitney: I was so foolish! I can't believe it! At least I can survive the loss. What about people who give him their whole lives' savings?

Officer Mooney: Yes ma'am. That's a good question. Next time, it won't be elevators; it might be a new roof, or landscaping, or nursing care...anything at all! We'll try to catch him, but I'm not optimistic.

Mrs. Whitney: What can I do to help, so he won't make any other poor old people victims?

THE END

FOLLOW UP

In your group, select a recorder to write down responses to the following questions:

1. What is wrong about what Mr. Myers did since Mrs. Whitney didn't have to make the deposit?
2. How could Mrs. Whitney have protected herself?
3. Why do these criminals often prey on the elderly?
4. Who else might be victimized by swindlers?
5. What motivation(s) exist for this particular sort of crime?
6. How can the public be alerted to the lurking dangers?
7. How can the criminals be apprehended in a timely manner?
8. What conditions contribute to some people's being victimized? How could victims get smart and stop being victims?
9. What could or should communities do to protect potential victims?

AIDS AND THE RIGHT TO PRIVACY

GRADE LEVEL: 6-7 **AUTHOR:** Kristen Porter and Joyce Alexander

TIME REQUIRED: One class period

CONCEPTS/VOCABULARY:

Unreasonable search and seizure; privacy; disclosure

MAIN IDEAS:

a. The government has laws that protect people with AIDS from unreasonable search and seizure.
b. Mandatory AIDS testing in schools and many other settings is against the law unless it can be proven that the disease could be easily transmitted.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people.

Skills

6-16. Works within a group, following set rules of procedure, to complete an assigned task.
7-23. Evaluates the reliability of information gathered.

INSTRUCTIONAL STRATEGIES:

Opening scenario to introduce right to privacy
Small group discussion of AIDS and right to privacy in schools
Teacher-led discussion of scenario and law

OBJECTIVES:

The learner will:
--state the constitutional issues surrounding AIDS.
--apply the law on AIDS and Right to Privacy to solve new scenarios.
--state the circumstances under which AIDS can be used to discriminate.

TEACHER BACKGROUND:

Testing for AIDS involves two main legal issues: 1) discrimination; and 2) our right to freedom from unreasonable search and seizure. The focus of this lesson is the second of these legal issues.

The Fourth Amendment to the U.S. Constitution states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

This amendment was originally written to keep people from having their homes invaded by the military. However, the amendment is now more widely applied as the "right to privacy." Only a court of law can determine if the right to privacy has been violated.

In 1985, the U.S. Center for Disease Control issued a statement that children infected with AIDS pose little threat to their teachers, other workers in the school, or other children. An exception to this policy might be necessary for very young children who could not yet control their bodily functions. Since AIDS is highly unlikely to be transmitted in a school setting, testing for AIDS can be, and is, considered to be unreasonable search and seizure.

In order to test legally for AIDS, the employer or school district must be able to show that serious medical risks exist for people with AIDS, or that other people in the setting may be exposed to the virus. Despite such a contention, asking for an AIDS test before hiring someone could be considered an infringement on the person's right to freedom from unreasonable search and seizure.

Disclosure of AIDS test results involves telling people when a particular person has AIDS. The Privacy Act, which applies to government agencies, forbids anyone from revealing medical information about a person with AIDS without his or her consent. Disclosing information about a teacher or student with AIDS could result in court cases based on emotional distress or defamation of character. Again, however, only a court of law can determine the individuals' right to privacy vs. the public's right to be informed.

Defamation may be defined as an untruthful statement made by one person about another. Slander is defamation by spoken words while libel is printed defamation. Emotional distress is prosecuted only when deliberately inflicted.

MATERIALS AND RESOURCES:

Transparency Master

1. AIDS Uproar

Handouts

1. Right to Privacy and Unreasonable Search and Seizure
2. AIDS and Right to Privacy Quiz

PROCEDURES:

1. Tell the students that in addition to concerns about discrimination against people who have AIDS, AIDS infected individuals also have to deal with infringements on their right to privacy. Explain that we all have privacy rights that protect us from the release of information about such things as our school performance and our health. We may personally share such information, but school officials may not reveal personal information about others except under special circumstances.

2. Project Transparency Master 1, AIDS Uproar, and read it out loud. Have the students discuss how they would feel if this plan were announced for next year.

3. Use the following questions to guide discussion:

    a. If you were going to be tested, how would you feel?
    b. Do you think everyone has the right to know if someone has AIDS or should such information be confidential?
    c. Do you think people with AIDS should be allowed in school?

4. Tell the students that you would like to set aside the scenario for now and come back to it after you have introduced the relevant law.

5. Pass out Handout 1 on the right to privacy and unreasonable search and seizure.

6. Go over each point, allowing comments from the students.

7. Divide the class into five groups to discuss questions listed. Place questions on chalkboard. Assign each group one of the discussion questions and allow time for the group to reach a consensus. If a consensus cannot be reached, that's fine. Have each side explain their views.

   Group discussion questions and possible answers:

   Question 1. Do you have the right to know if a student in your school has AIDS? Why or Why not?
   (Perhaps. Your right to know must be balanced against the person's right to privacy. If the student poses no health risk to others, it could be considered a violation of the Privacy Act to reveal that he or she has AIDS. Only a court of law can determine if students and teachers in the school should be told.)

   Question 2. Should teachers be required to pass an AIDS test in order to teach in the public schools? Why or why not?
   (No. Infected teachers pose little threat to their students. Requiring a test for AIDS in order to be hired would violate the right to freedom from unreasonable search and seizure.)

   Question 3. Should special accommodations be made in school for students with AIDS? Why or why not?
   (If necessary. Decisions about the education and care of a student with AIDS should be made by a team which includes the student's parents, a physician, public health personnel, and school officials. The need for a more restrictive environment should be updated regularly as the condition of the child worsens.)

   Question 4. Do you have the right to know if one of your teachers has AIDS? Why or why not?
   (Perhaps. However, your right to know must be balanced against the teacher's right to privacy. Since teachers pose no health risk, it could be considered a violation of the Privacy Act to tell students the teacher has AIDS. Only a court of law can determine if the people in the school should be told.)

   Question 5. Should kids have to learn about AIDS? Why or why not?
   (Yes. Education is our best defense against AIDS. Young people need to know how to avoid becoming infected with AIDS as well as how to respond to people who are infected.)

EVALUATION:

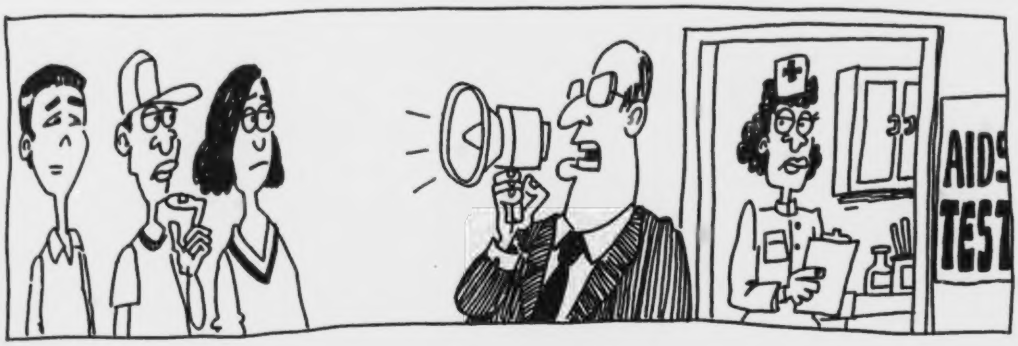
- Administer Handout 2, AIDS and the Right to Privacy Quiz.

ENRICHMENT:

- Have the students brainstorm ideas about how they can educate their friends. Have them plan and execute one of the better ideas.
- Have the students write a play (maybe in small groups, where each group writes a scene) about the legal issues surrounding AIDS.
- Pick one of the discussion questions and have the students develop a role play based on the situation. Be sure to include principals, teachers, friends, parents, press, students, and other actors likely to be included in the dilemma.
- Have the students discuss the emotional effects of unreasonable search and seizure. Ask them to hypothesize how they would feel if it happened to them.

Transparency 1

AIDS UPROAR



The Manville School Board created a public uproar Wednesday when it voted 6 to 1 to require all students to have a test for the AIDS virus prior to attending the first day of school. Max Verbatum, chairman of the school board, said, "This is the best thing we can do to protect our children. If we find even one student who has the AIDS virus, then it will be worth it."

Some parents objected to the inconvenience and expense of the test. Cybil Freeman, the mother of ten-year-old twins who attend Oglethorpe Elementary, spoke against the new rule, saying that she thought it was an unnecessary invasion of the students' privacy. She said it was ridiculous to expect young children to be AIDS infected and quoted from several reports that contended that there was little danger of AIDS being transmitted in regular school environments.

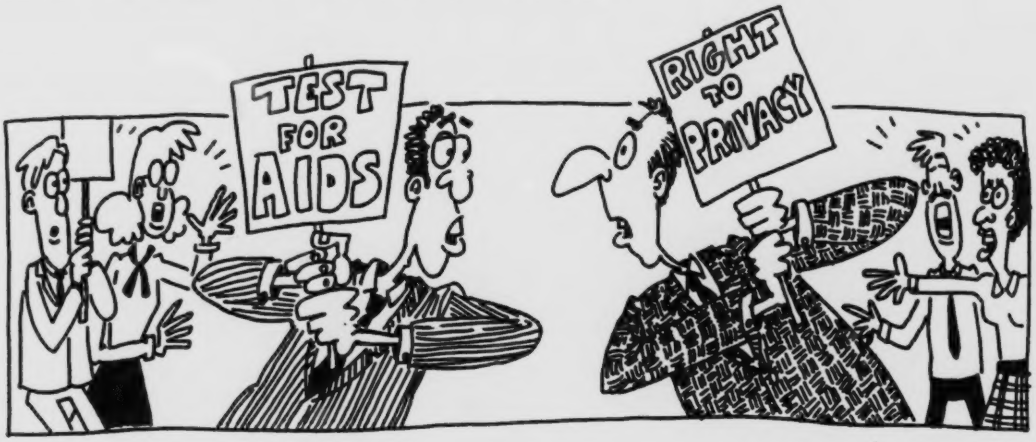
THE RIGHT TO PRIVACY AND UNREASONABLE SEARCH AND SEIZURE

The right to privacy is guaranteed by the Fourth Amendment to the Constitution. The Amendment says: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

This amendment was originally written to keep people from having their homes invaded by the military. However, the amendment is now more widely applied as the "right to privacy." Only a court of law can determine if the right to privacy has been violated.

AIDS testing in the schools may be considered disclosure and unreasonable search and seizure and thus is covered under the Fourth Amendment. Disclosure involves telling people when a particular person has AIDS. The Privacy Act, which applies to government agencies, forbids anyone from revealing medical information about a person with AIDS without his or her consent. Disclosing information about a teacher or student with AIDS could result in court cases based on emotional distress, libel, slander, and defamation of character. Again, however, only a court of law can determine the individuals' right to privacy vs. the public's right to be informed.

In order to test legally for AIDS, the employer or school district must be able to show that serious medical risks exist for people with AIDS or that other people in the setting may be exposed to the virus. Despite such a contention, asking for an AIDS test before hiring someone could be considered an infringement on their right to freedom from unreasonable search and seizure as well as discrimination.



Handout 2

AIDS AND THE RIGHT TO PRIVACY QUIZ

1. What constitutional issues are involved in dealing with AIDS in the schools?

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2. Do you agree or disagree that AIDS testing is an invasion of privacy? Why or why not?

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3. What does the Fourth Amendment protect us from?

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4. Who can decide whether an AIDS victim should have his or her right to privacy protected or whether the public's right to know has more weight?

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5. Under what circumstances can an employer test for AIDS?

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MAY I USE THE PHONE?

GRADE LEVEL: 6-7 **AUTHOR:** Toni Wilkerson

TIME REQUIRED: Two class periods

CONCEPTS/VOCABULARY:

Misdemeanor; harassment; obscenity; profane; conflict resolution; negotiation

MAIN IDEAS:

a. The use of the telephone to harass is forbidden by Georgia law.
b. The kind of conflicts that lead to harassment can be better resolved by "talking out" or other dispute resolution methods.

QCC CORRELATION:

Content

7-15. Explains how the value system of a society exerts great influence on the attitudes and behavior of people

Skills

6-19. Uses alternative methods of managing conflict

INSTRUCTIONAL STRATEGIES:

True-false quiz on Georgia's telephone harassment laws
Role playing and decision-making regarding phone harassment situations
Small group work on conflict resolution

OBJECTIVES:

The learner will:
--identify the types of phone calls that are considered harassing and in violation of Georgia laws.
--explain and demonstrate lawful methods to resolve interpersonal conflict.

TEACHER BACKGROUND:

Georgia Laws

Georgia's laws (particularly O.C.G.A. 16-10-26 to 29; 16-11-39) on the use of the telephone state that it is a misdemeanor for any person to use the phone for obscene, threatening, or harassing purposes.

Obscene calls are those in which the caller makes any comment, request, suggestion, or proposal that is obscene, lewd, lascivious, filthy or indecent.

Similarly prohibited are calls made with the intent to annoy, threaten, or harass any person at the called number. Calls threatening bodily harm are specifically prohibited. Threatening to commit any crime of violence or to burn or damage property to terrorize another or evacuate a building is a terroristic threat and a felony. (O.C.G.A. 16-11-37)

Also prohibited are calls making a false report of a crime (to police), fire (to fire department), or need for an ambulance (to emergency medical service). These are misdemeanors. It is a felony to make a phone call falsely reporting the presence of a bomb or explosives in a place where an explosion would endanger lives.

It is also illegal to use language that is so profane or vulgar that it would clearly offend a reasonable person's sense of decency.

Calling a person and intentionally failing to hang up, so as to deny that person access to his or her phone is also illegal.

Georgia law also holds that a person who knowingly permits a telephone under his control to be used for the prohibited purposes defined above may be found guilty of a misdemeanor.

Role of Telephone Company

Major phone companies such as Southern Bell maintain full-time personnel trained to help customers prevent further annoyance calls and track down phone criminals. The phone company has the ability to trace incoming calls on a customer's phone line.

When two or more annoyance calls have been traced to the same number, the phone company will either turn over the information to law enforcement (if the victim desires to prosecute) or send a deterrent letter to the subscriber of the offending number.

If calls continue from the same offending number and the victim still does not want to prosecute, a second letter is sent warning the perpetrator that his or her phone will be disconnected if the annoying calls continue.

The number of annoyance phone call complaints goes up during the summer months when school is out. Most of the calls made by youth are hang-up or prank type calls. Youth are seldom involved in making obscene phone calls.

Southern Bell currently receives over 35,000 annoyance phone call complaints each month.

What To Do If You Receive An Annoyance Phone Call

When you receive an annoyance phone call, the best procedure to follow is to answer: "Hello, who is calling please?" Do not give your name or address. Always ask to take a name and number and have the call returned.

If the calling party does not immediately identify himself or herself, then you should hang up. If the phone rings again, follow the same procedure. Never give out information over the phone to an unknown caller. Do not get into a discussion with an unknown caller, especially if the caller is using obscene or inappropriate language. Do not threaten the caller.

The best way to deal with an unwanted call is to HANG UP! If this is done often enough, the caller will stop bothering you. If this technique does not work, an adult in the household should contact the business office of the local phone company.

When a person receives a series of annoying, threatening, or obscene phone calls, he or she should report the call to the phone company.

MATERIALS AND RESOURCES:

Handouts

1. True or False Quiz: May I Use The Phone?
2. Guidelines For Talking Things Out

Attachment

1. Role Play Cards

Toy or real telephones

PROCEDURES:

Period One

1. Motivate the students for this lesson by asking them if they have ever had anyone make a prank call to their residences. Ask if these calls are against the law and whether they do any harm. Discuss the students' responses without attempting to provide any information about the law.

2. Tell students you are going to see just how much they know about the Georgia law dealing with harassing phone calls. Give the True or False Quiz: May I Use the Phone? (Handout 1). Debrief the quiz by reviewing the Georgia laws on phone harassment detailed in the Teacher Background.

   Answers to the True or False Quiz:

   1. TRUE. You are just as guilty as the caller if you allow someone to use your phone when you know they are making harassing calls.

   2. TRUE. Officials at Southern Bell's Annoyance Call Bureau have to hire additional help during summer months when students are out of school.

   3. TRUE. Stress to children that fighting words are just as wrong as the act itself.

   4. TRUE. This is a crime in the state of Georgia.

   5. TRUE. This is a crime in the state of Georgia.

   6. FALSE. New residential service now available to most home customers can display the calling party's number. Telephone company computers are capable of locking in numbers and identifying the address of the user.

7. FALSE. The 911 operator has a visual display of the calling number and can cross reference that number to an address.

8. FALSE. People do get sued for using the telephone to harass others.

9. FALSE. The telephone company has an entire department called the Annoyance Bureau that handles these types of complaints. The company does prosecute and can trace calls made to annoy on both residential and business phones.

10. FALSE. The first amendment protects citizens against government limitations on free speech. However, the Supreme Court has allowed limitations. For example, speech that presents "a clear and present danger" such as yelling "FIRE" (when there is none), and words adjudged "fighting words" are not protected, nor is slander (disseminating damaging lies about another). Obscenity has less protection than other forms of speech.

3. Using the Teacher Background, review with students what should be done if they receive a harassing call. Recruit several volunteers and use the telephones to roleplay effective behaviors.

   Then divide the students into six groups and distribute a Situation Role Play Card (Attachment 1) to each group. Ask the groups to read their situations and come up with a skit in which one person plays the harassing caller and the other demonstrates how to handle the situation effectively. (Students should avoid obscene or profane language, using "bleeps" only if necessary.)

   Review each skit with the students, stressing Georgia's laws on phone harassment. Students should be able to identify what action in each skit is against the law. The answers are: l) threats by phone are illegal; 2) harassment by phone is illegal; 3) bad language on phone is illegal; in addition, Andrea is responsible because she lets them use phone; 4) false report to police is illegal; 5) use of profanity on phone is illegal; 6) annoyance or harassment calls are illegal.

   Discuss, also, how the person who answered the phone in each skit handled the situation. Did he or she use the recommended techniques?

Period Two

1. Review the key ideas learned about Georgia's laws on phone harassment. Point out that phone harassment doesn't resolve any conflict situations; it only causes the potential for greater problems.

2. Lead students into a discussion of how conflicts can often be resolved through better means. With students, brainstorm ways that conflicts can be resolved. This list should include:
   - Competition (which can be physical)
   - Going Along (one side goes along with the other)
   - Avoidance
   - Talking Things Out
   - Referee (calling in an outsider to decide)
   - Chance (flipping a coin)

Write the list on the board. Discuss which is the best way to resolve a conflict. Students should recognize that the best way to resolve a conflict will vary with the situation. An individual needs a "repertoire" of conflict solving behaviors.

Point out, however, that the most lasting solutions to conflicts are usually those in which both parties win something. Competition inevitably sets up a win-lose result. Discuss what kind of outcomes the other methods might result in, i.e., win-win, win-lose, or lose-lose. Talking things out is generally considered the best method because it can result in a win-win solution.

3. Present students with the Guidelines for Talking Things Out in Handout 3. Divide the class into groups of 3 or 4. Provide each group with a different situation card from Handout 2. This time the students should demonstrate how to resolve the conflict in the situation so as to avoid any inclination toward harassing phone calls.

   Each group should select players to take conflict roles, an encourager/time keeper to keep the negotiation on target, and a recorder.

   Groups should follow the directions on the handout to "talk out" the conflict. They should remember to be polite, not use profanity, etc. It may help to have a recorder write down possible solutions. The final solution to the conflict should be written down and everyone in the group should agree to it.

4. All groups should report back to the class on what their conflicts were and how they resolved them. Discuss each report, allowing other students to suggest other possible resolutions.

EVALUATION:

- Ask students to write a short summary of what they learned about the laws regarding phone harassment.
- Divide students into 3-4 groups. Let each group come up with a conflict situation that can be resolved by talking it out. Let each group demonstrate how to talk out the conflict, using guidelines from the lesson. Discuss resolutions. Use presentations for evaluation.

ENRICHMENT:

- Invite a local telephone company representative to come in and talk about annoyance calls.
- Conduct a school-wide campaign to make everyone aware of Georgia's telephone harassment laws.
- Use the telephones utilized with this lesson to practice the polite telephone manners needed to handle different calling situations.

Handout 1

TRUE OR FALSE QUIZ: MAY I USE THE PHONE?

TRUE FALSE 1. It is a misdemeanor under Georgia law to knowingly allow a person to use your phone for the purpose of obscene, threatening, or otherwise harassing purposes.

TRUE FALSE 2. Crimes of harassment over the phone are frequently made by children.

TRUE FALSE 3. The use of words toward another person that break the peace or provoke violent resentment (fighting words) are prohibited by the Georgia Code.

TRUE FALSE 4. A person who calls in a false alarm of fire, public alarm, bomb threat, or requests an ambulance when not needed, is committing a misdemeanor under Georgia law.

TRUE FALSE 5. A person who, by way of the telephone, makes any obscene or filthy remarks is committing a crime.

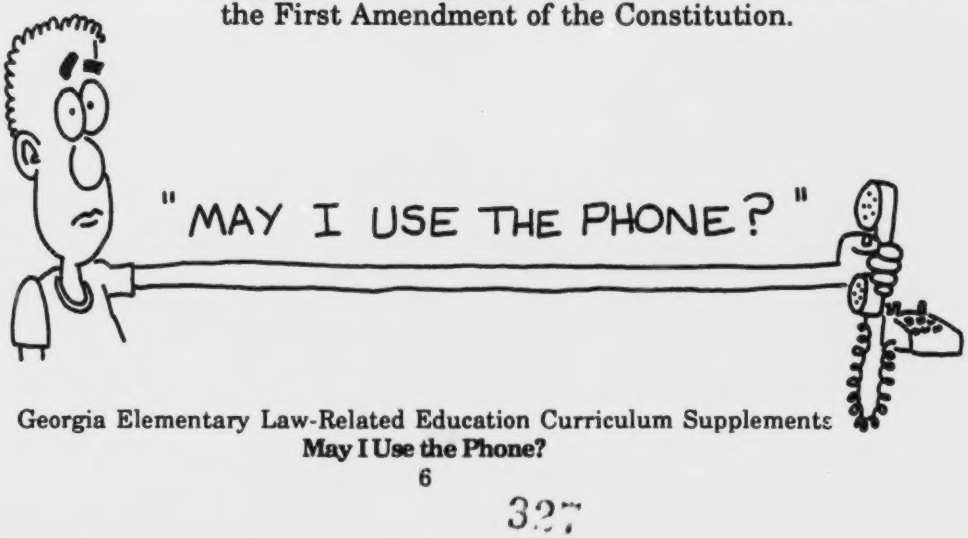
TRUE FALSE 6. The telephone company has no way of tracing a call.

TRUE FALSE 7. Calls to 9ll do not show the number you are calling from so the police will not be able to trace the call.

TRUE FALSE 8. People never take other people to court for using the telephone to harass.

TRUE FALSE 9. The telephone company rarely has complaints about annoying calls.

TRUE FALSE 10. A person can say anything he or she wants to under the First Amendment of the Constitution.


"MAY I USE THE PHONE?"

ROLE PLAY CARDS

Situation 1 Love Birds

Carl and Stephanie have been "going together" for about 3 weeks when one day Stephanie sees Carl talking to another girl during lunch break. She later finds out who the girl is and calls her up on the phone and threatens to beat her up after school if she doesn't quit trying to steal her boyfriend.

Situation 2 Slumber Sisters

Susie and Ginger are best friends. However, Susie's mom is very overprotective of her and will not let Susie spend the night away from home. Ginger is having a slumber party and the girls are angry with Susie's mom for not letting Susie come. They call the house repeatedly and hang up as soon as Susie's mom answers.

Situation 3 Birds of a Feather

Andrea's mom works in the afternoon. Andrea's friends Sharon and Marie often come over to use the phone. They enjoy calling people's homes and using bad language over the phone and then hanging up. Andrea really doesn't approve of their doing this, and doesn't participate, but doesn't want to lose their friendship.

Situation 4 A Dog's Life

The Jacksons and the Martins are neighbors. The Martins' dog barks constantly at night and often runs loose in the yard. The Jacksons do not like the dog and are tired of being kept up at night and cleaning up after the dog in their yard. The Jackson children, one afternoon, decided to teach them a lesson and call 911 and report a vicious dog attack. They give the Martins' address as the place where the mad dog is located.

Situation 5 Let's Keep it Up!

Robert and Alan have been arguing for days. Robert claims that Alan said things about his family and friends that Alan denies. The conflict has carried over to school time as well as after school time. Robert has one of his friends call Alan's home and use profanity toward whomever answers the phone. This has been going on for several days.

Situation 6 Favorite Teacher

Markus is punished in English class. It seems like every time he chews gum or doesn't have his homework, or turns around for one second, Mrs. Hemlock is nailing him for misbehavior. He is determined to get even. He looks up Mrs. Hemlock's number in the phone directory and places calls to her number early in the morning before school and late in the evening around 11:30 p.m. He lets the phone ring and ring, and when Mrs. Hemlock answers the phone, he just breathes and never says a word.

GUIDELINES FOR TALKING THINGS OUT

STEPS

1. Both sides should explain their situation to the other. They should use words like "I need" or "I like" rather than "I must" or "I can't."
2. Both sides should listen carefully to the other side and be sure that they understand each other's position.
3. Both sides should propose several solutions to the problem. These should be discussed and modified as need be to reach a mutually satisfactory agreement.
4. Both sides should feel good about the agreement.

TIPS ON TALKING THINGS OUT

1. Each side should want to settle the dispute.
2. Each side should keep cool.
3. Each side should be polite.
4. Each side should not "lock into" positions. For example, instead of saying "I must have the car tonight" say "I need to have some way to get to the game tonight."
5. Each side must listen carefully to what the other side says.

GEORGIA'S WATER IS NO PUZZLE!

GRADE LEVEL: 6-7 **AUTHOR:** Toni Wilkerson

TIME REQUIRED: Three class periods

CONCEPTS/VOCABULARY:

Surface water; groundwater; wetlands; fall line; aquifer; ordinance; point and non-point sources of pollution; environmental; hazardous; pollutants; DNR (Department of Natural Resources); EPA (Environmental Protection Agency); EPD (Environmental Protection Division).

MAIN IDEAS:

a. Both the quantity and quality of Georgia's water supply are threatened by growth, demand, and pollution.
b. Laws are enacted at every level of government to protect Georgia's water.
c. Georgia's clean water can not be taken for granted and students should do their share to help keep it clean for future generations.

QCC CORRELATION:

Content

6-4. Relates how the natural resources and physical features influence human activity in each region
7-6. Cites examples of how unequal distribution of limited resources leads to specialization among individuals and regions

Skills

6-11. Identifies and defines a problem related to regions and cultures
7-1. Locates main ideas in multiple types of sources (e.g., nonprint, specialized references, periodicals, newspapers, atlases, yearbooks, government publications, etc.)

INSTRUCTIONAL STRATEGIES:

Brainstorming uses of water and water protection activities
Examining a puzzle to sort facts about Georgia's water sources
Analyzing and discussing newspaper articles
Developing rules for limited water use
Identifying and discussing water protection laws
Playing a word game on water protection laws
Writing letter on water protection issues

OBJECTIVES:

The learner will:
--identify local, state, and federal laws that protect and preserve our water supply.
--discuss problems of water quality and quantity, identifying at least two causes of each.
--describe five things they or their families can do to preserve clean water.
--write a letter showing the importance of the laws that protect our clean water.

TEACHER BACKGROUND:

The handouts for this lesson contain the necessary legal and factual information related to the conservation of Georgia's clean water.

MATERIALS AND RESOURCES:

Handouts

1. Average Family Daily Water Use (may also be used as a transparency)
2. Georgia's Water Is No Puzzle!
3. Aquifer System Seeps Into Three-State Water Debate
4. Georgia and Federal Water Protection Laws
5. Morrow Law Requires Conservation of Water
6. Central Word Puzzle
7. About Laws and Water

Gallon containers (milk jugs) filled with water; overhead projector (optional); large map of Georgia (physical or relief) showing major river systems

PROCEDURES:

Period One

1. Write an interest-attracting question on the board: What is the most common, yet most important substance found on the earth? (Answer: Water) Lead students into a discussion of how we use water and why it is so important. List the students' ideas on the board.

   Then project or distribute Handout 1, "Average Family Daily Water Use."

   Examine the students' list and discuss non-household uses. These should include farm, industry, business, (e.g., laundries, restaurants; government facilities, swimming pools, golf courses).

   Discuss the figures. Have several gallon water containers filled so students can visualize quantities. Point out that these figures do not show lawn or garden usage. Finally, ask students to guess how much water is used per day in the United States. (Answer: 250 billion gallons.) Write this number on the board.

2. Distribute Handout 2, Georgia's Water Is No Puzzle, which provides facts about sources and use of water in Georgia. Be sure that students understand terms: surface water, groundwater, aquifer, wetlands, and fall line. Use dictionaries if needed.

   Have students shade in the different sections to represent surface water (S), ground water (G), and other (R). As they work, discuss information on the puzzle by asking questions such as the following:

   a. What is major source of water for industrial use? For rural use?
   b. What is major source of water above the fall line? Below the fall line?
   c. What information is given on possible sources of surface water?

3. Let students guess how many gallons of water are predicted to be needed in the United States by 2000 A.D. (800 billion) Write this figure on the board beneath the current usage figure. Is there enough water? Students may have heard about problems in the West, particularly California, because of water shortages, but they should be aware that problems are closer to home.

   Distribute copies of Handout 3. After the students read the article, have them write answers to the following questions.

   a. Which states are quarreling over water use?
   b. What bodies of water are involved? (Surface water, Chattahoochee River, ground water, Floridan aquifer system)
   c. What actions have caused the disagreement? (Metro Atlanta's plan to increase its water withdrawals by 50%; a recommendation that Albany area use the Floridan aquifer)
   d. What do Florida and Alabama want done? (A study of water sources.)

4. Divide students into groups of three or four. Explain that there is a drought and challenge them to propose at least one rule to limit use and consumption of water in the school building. They should consider drinking fountains, restroom, showers in the physical education building, lunchroom use, etc. They should include consequences for violations. Have the groups share their recommended laws. Evaluate one proposed law from each group, by considering such factors as its clarity, enforceability, fairness, and whether it will accomplish its purpose. Allow the groups to amend the laws after the discussion.

Period Two

1. Explain that besides concerns over QUANTITY of water, there are also concerns over QUALITY of WATER (i.e., water pollution). Pollution is the result of wastes getting into our surface and groundwater. Brainstorm with students some of the sources of this problem and write ideas on the board. Examples might be industrial wastes, farm wastes, home wastes (such as fertilizers, oils, etc. that seep into ground or runoff with rainwater), poorly treated sewage. Stress that a major cause of water pollution is population increase.

   Explain that there are two kinds of pollution sources: Point -- which comes out of pipes into the water (e.g., from sewage treatment plants, most industrial waste) and Non-Point that occurs through runoff washed into streams by rain or that seeps into the ground. Ask: Which source is harder to control? (Non-point.) Note that a recent study in Atlanta of pollution of the Chatahoochee River found urban runoff (oil from streets, fertilizer from lawns, etc.) to be the major pollutant.

2. Explain that water quality and quantity are so important that laws have been passed by all three levels of government--federal, state, and local.

   Distribute Handout 4, Federal and Georgia Water Regulation Laws. Clarify that these laws are not all the laws that affect water quality and quantity, but just some of the main ones. Discuss the information in the handout. Point out, also, that state laws often are written in response to federal laws. Have students identify laws affecting water quality, water quantity, groundwater, surface water, marshlands, and wetlands. Ask: Why are wetlands and marshlands important? One reason is that they have been found to be natural "cleaners" for our water system. Another is that their purity can affect the quality and quantity of other waters. They also are important to many endangered forms of animal and plant life and industries such as fisheries. Ask students, also, to identify a federal agency (EPA and Corps of Engineers re: wetlands) and state agency (DNR; EPD) established to carry out these laws.

In addition to laws, students should realize that governments and agencies establish plans and strategies. Emergency water use plans were established in 1986 when Georgia had a severe drought. In 1991, the legislature provided for plans to study wetlands and rivers and recommend legislation.

3. Is water regulated at the local level as well? Distribute Handout 5, about an ordinance adopted in Morrow, Georgia, to limit use of water. (Students should understand that ordinances are laws passed by city and county governments. Usually the penalties for violation are not as severe as for state laws.) In discussing the ordinance ask, what was the purpose of the ordinance? What does it require? What will be the penalty for violation? Discuss other actions that local governments take to improve water quality and quantity. One example is limitation[illegible] on lawn watering. Local governments also establish gutter and sewer systems f[illegible]oint waste water runoffs and operate sewage treatment plants.

4. Provide students with the word puzzle on Water and the Law, Handout 6, and ask them to fill in the blanks. They should also make up their own clues about water and the law.

Clean **W**ater Act
Safe Drinking W**A**ter Act
Environmental Pro**T**ection Division
Erosion
Coastal Ma**R**shland Protection Act

Water Qu**A**lity Act
Grou**N**d Water Use Act
Drought

Communi**T**ies
Healthy People
Non-point Sourc**E**

Litter Control **L**aws
EP**A**
Water **W**ithdrawal Permit

Period Three

1. Point out that because of business and government pressures, environmental laws are not always as strong as environmentalists believe they should be. One reason is that major water users may be excluded from restrictions. To illustrate this, point out that in 1990 (almost 20 years after enactment of strong federal Clean Water Act amendments of 1972), some of the Georgia river segments (locate these on map) not meeting federal water standards included:

   Conasauga River - 28-mile segment downstream from Dalton polluted by urban and industrial run-off.

Chattahoochee River - 70-mile segment downstream of Atlanta polluted by sewer overflows, sewage treatment plants and urban run-off.
Savannah River - 28-mile segment upstream from Savannah polluted by industrial and urban run-off.
Ocmulgeee River - 18-mile segment downstream from Macon polluted by urban run-off and sewage treatment plants.
Flint River - 24-mile segment downstream from Atlanta polluted by industrial and urban run-off, and sewage treatment plants.

2. Discuss what students can do to preserve water quality and quantity. Have them meet in small groups to brainstorm lists of ideas. (Examples would be not littering water, being careful about putting fertilizers and harmful chemicals and oil into ground, conserving water in the home.) Have groups share lists. Write their recommendations on board. Students could copy list.

3. Point out that it is also important to let our lawmakers and decision makers know that we are concerned about clean water. Allow each class member to write a letter to appropriate government official expressing concerns about clean water problems. Alternatively, students could draft letters to local paper to encourage water protection practices in the home. Encourage students to include as much factual information as they can in their letters.

EVALUATION:

- Review the students' letters to government officials to determine how much information they gained about the need for clean water conservation.

- Use responses to Handout 7 for evaluation. Handouts can be distributed, or you can read the questions aloud to students.

Answer Key to Handout 7:

1. Quality and quantity
2. Population growth, use of chemicals in soil, waste disposal problems.
3. Groundwater and surface water
4. Federal, State and Local Governments
5. Your Answer
6. Your Answer
7. Source that is not from a pipe; source is runoff or seepage
8. Conserve water in home; do not dump oils or detergents on ground; limit or do not use fertilizers

ENRICHMENT:

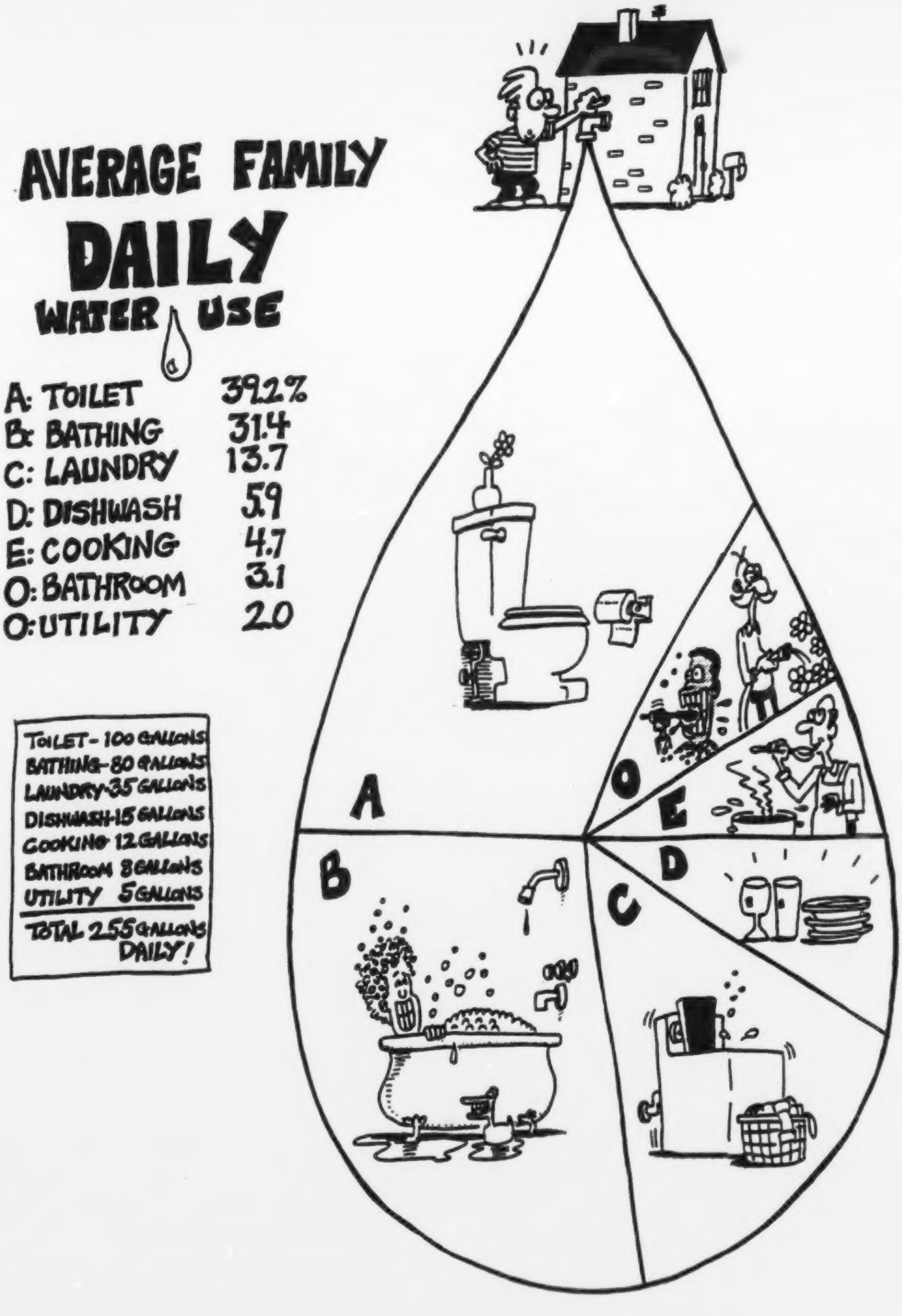
- Show Department of Natural Resources film "Clean Water; Georgia's Treasure (26 minutes). Order from GEPD, Water Protection Branch, Twin Towers East, 205 Butler ST. SE Atlanta, GA 30334.

- Invite a representative of EPA or EPD to discuss the problems, laws, plans, and concerns regarding state water quality and quantity.

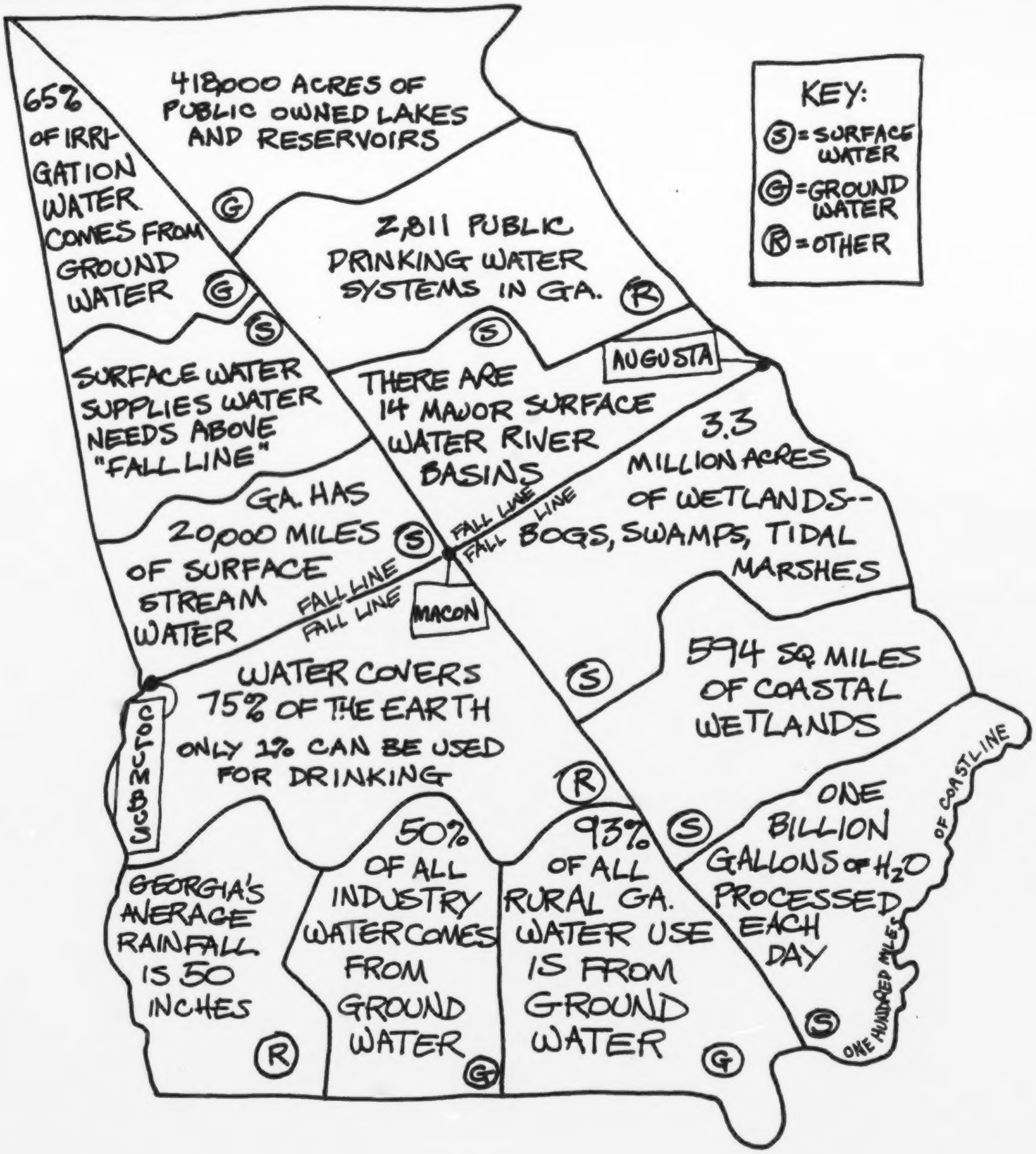
- Have students make posters encouraging actions to improve our water quality or quantity. Display in classroom or school.

Handout 1

AVERAGE FAMILY DAILY WATER USE



GEORGIA'S WATER IS NO PUZZLE!


65% OF IRRIGATION WATER COMES FROM GROUND WATER
418,000 ACRES OF PUBLIC OWNED LAKES AND RESERVOIRS
KEY:
S = SURFACE WATER
G = GROUND WATER
R = OTHER
2,811 PUBLIC DRINKING WATER SYSTEMS IN GA.
AUGUSTA
SURFACE WATER SUPPLIES WATER NEEDS ABOVE "FALL LINE"
THERE ARE 14 MAJOR SURFACE WATER RIVER BASINS
3.3 MILLION ACRES OF WETLANDS--BOGS, SWAMPS, TIDAL MARSHES
GA. HAS 20,000 MILES OF SURFACE STREAM WATER
FALL LINE
MACON
594 SQ. MILES OF COASTAL WETLANDS
COLUMBUS
WATER COVERS 75% OF THE EARTH
ONLY 1% CAN BE USED FOR DRINKING
ONE BILLION GALLONS of H_2O PROCESSED EACH DAY
ONE HUNDRED MILES OF COASTLINE
GEORGIA'S AVERAGE RAINFALL IS 50 INCHES
50% OF ALL INDUSTRY WATER COMES FROM GROUND WATER
93% OF ALL RURAL GA. WATER USE IS FROM GROUND WATER
S
G
R

AQUIFER SYSTEM SEEPS INTO 3-STATE WATER DEBATE

By Carrie Teegardin
Staff Writer

As negotiations continue in the tri-state water war, the battlefield is spreading from metro Atlanta's use of the Chattahoochee River to the many rivers, streams and underground aquifers shared by Florida, Georgia and Alabama.

A federal study released Monday showed that a vast underground sea in South Georgia could be further tapped to quench the thirst of thousands in the Albany area without affecting its tasks of growing crops and helping support sea life miles away.

The U.S. Geological Survey (USGS) study of the Upper Floridan Aquifer - one of the nation's richest groundwater sources - will be followed by a more comprehensive look at all of South Georgia's aquifers.

Although Florida and Alabama have specifically objected to metro Atlanta's plan to increase its Chattahoochee River withdrawals by 50 percent, the uses of the system as a whole lie at the heart of the conflict, particularly for Florida.

And because the uses of aquifers are so entwined with flows on the river system, the conflict is likely to move underground.

"Our interest is to build a communications and dispute resolution framework that will last us for the next 30 years or 50 years," said Steve Hall, a Florida negotiator in the water conflict.

Florida's seafood-rich Apalachicola Bay sits at the end of a river system fed by the Chattahoochee and Flint rivers.

The study released Monday, and the more comprehensive USGS report still in the works, related the degree to which the aquifers dominate river flows south of the fall line.

During the summer months, irrigation already takes about 385 million gallons a day from the portion of the Floridan aquifer near Albany. The USGS study shows that an additional 72 million gallons a day could be withdrawn for drinking without diminishing groundwater or surface water flows.

The Atlanta area currently uses about 330 million gallons a day from Lake Lanier and the Chattahoochee.

The city of Albany began to look into tapping into the rich Floridan aquifer because other aquifers had begun to be overtaxed, which can deplete river flows and cause sinkholes to develop in limestone regions.

Florida and Alabama officials do not want many more water withdrawals to be allowed until a comprehensive study is completed.

The parties continue to meet - in what Georgia Department of Natural Resources Commissioner Joe Tanner described Monday as "Difficult" negotiations - to determine interim water allocations for Georgia.

GEORGIA WATER PROTECTION LAWS

1964 Initial Georgia Water QUALITY CONTROL ACT

1970 COASTAL MARSHLANDS PROTECTION ACT

Act requires permits for any filling, dredging, draining, or other alterations to the coastal marshlands. It is considered to have been relatively successful in protecting marshes from destructive activities such as mining.

1972 Government reorganization established the DEPARTMENT OF NATURAL RESOURCES (DNR) with the ENVIRONMENTAL PROTECTION DIVISION (EPD)

Functions of its Water Quality Division include:

a) implementing state and federal water quality and quantity laws.
b) regulating water pollutants
c) setting water quality standards
d) monitoring toxic pollutants
e) grants and training for municipal water systems.

1972 GROUNDWATER USE ACT

Act calls for monitoring use of groundwater. Requires permits for public supply and industrial users who withdraw more than 100,000 gallons per day.

1973 METRO RIVER PROTECTION ACT

Its purpose is to protect the water supply of the Chattahoochee River by regulating use along its corridors.

1975 EROSION AND SEDIMENTATION ACT

Land-disturbing activities that have the potential to affect water qulity are not allowed in the absence of a permit from the local governmnet or EPD.

1977 Amendments to Water Quality Control Act (SURFACE WATER ACT)

Permits required for public supply and industrial users who withdraw more than 100,000 gallons per day.

1990 RIVER CORRIDORS AND MOUNTAIN PROTECTION ACT

Provides for 100-foot buffer zone on either side of major rivers (rivers having flow of more than 5 cubic feet per second and greater.) For example, homes must be on 2-acre tracts and septic tanks empty out of buffer zone. Communities or DNR can set tougher standards.

1990 GEORGIA ENVIRONMENTAL POLICY ACT

Calls for state environmental review similar to that of National Environmental Policy Act. State agencies and authorities must prepare environmental impact statements for projects that may significantly impact the environment. Impact statements include a discussion of the environmental impact of the action and alternatives including no action and measures that can be taken to lessen the adverse impact. Excludes most private and localgovernment projects.

STATE LITTER CONTROL LAWS

Protect water by prohibiting dumping of litter on public or private property or any body of water, watercourse, or their shores and beaches. (Penalties are fines of $100 - $300.) The law further prohibits storing or dumping of chemicals or materials considered detrimental or hazardous in caves or sinkholes (protects groundwater).

LOCAL WATER PROTECTION REGULATIONS

Communities protect ground and surface water through building codes, zoning laws, local conservation commissions, plumbing code revisions for water conserving appliances, water recycling by industries. Local laws also comply with federal and state government regulations for safe drinking water.

FEDERAL WATER PROTECTION LAWS

1969 NATIONAL ENVIRONMENTAL POLICY ACT (USCA 42-4321 ET SEQ.)

This act serves as the basis for modern environmental laws. Requires environmental impact statement for any major action by a federal agency likely to affect the quality of the environment.

It established the **Environmental Protection Agency (EPA)** which a) enforces most federal environmental protection acts; b) reviews environmental impact statements; c) sets standards for pollutants; d) conducts research and training

1972 WATER POLLUTION CONTROL ACT (1977 CLEAN WATER ACT)

Its purpose is to make all surface water "swimable and fishable" by: a) setting water quality standards; b) encouraging improvement in sewage treatment; c) regulating disposal of industrial and public waste; d) controlling non-point run-off from street and fields.

It requires states to establish water quality standards and to plan for meeting them. One section of this law pertains to regulation of fresh water wetlands.

SAFE DRINKING WATER ACT

Provides standards for public drinking water:

1. Primary--standards set maximum levels for contaminants that may be a threat to health.
2. Secondary--standards recommend maximum levels for contaminants that affect water's taste, color, odor or appearance.

It also establishes requirements for operators of public water supply systems. Several acts pertaining to hazardous wastes (cleaning up past hazardous waste disposal sites and regulation of disposal of such waste) directly and indirectly affect surface water and ground water.

MORROW LAW REQUIRES CONSERVATION OF WATER

By Melinda Berry
Neighbor Staff Writer

An ordinance requiring the installation of water-saving plumbing fixtures in new residential and commercial buildings has been approved by the Morrow City Council.

The council voted unanimously in favor of the new law on Nov. 13.

The ordinance will go into effect on July 1, 1991 for residential dwellings, on July 1, 1992 for commercial buildings.

Existing homes or buildings will not be affected unless renovations are made and the underground plumbing can be adapted to the new fixtures.

"I think the ordinance is an excellent idea and I commend the city of Morrow for taking that forward approach," Melvin Newman, general manager of the Clayton Water Authority, said Thursday.

"Most people do not think about conservation until it is too late, and saving water is a conservative thought we all need to have," he said.

The new law will require plumbing fixtures to have these water ratings:

Toilets, 1.6 gallons per flush.
Urinals, 1.0 gallons per flush.
Shower heads, 2.5 gallons per minute.
Kitchen faucets, 2.5 gallons per minute.
Laboratory faucets, 2.0 gallons per minute.

Failure to comply with the ordinance will result in a maximum fine of $500 for each day the law is violated.

Contractors who fail to install the water saving fixtures in homes or buildings will face a possible suspension of their operating licenses.

Handout 6

CENTRAL WORD PUZZLE

The main idea of the puzzle is found in the central words that run vertically down the middle of the page. Match each clue to the word or words from the list and fill in the blanks with the missing letters.

Clues:

1. This federal law's main aim is to make all surface water "swimable and fishable."
2. This federal law provides standards for public drinking water.
3. A state agency that enforces water protection laws.
4. The water supply can be harmed by this and sedimentation.
5. The law protects areas along the ocean.
6. Government laws protect this and water quantity.
7. Protection for groundwater quantity in Georgia.
8. Brought on the emergency water shortage plan.
9. Uses building codes, zoning laws, local conservation groups to protect water.
10. Clean Water is necessary for this.
11. The kind of water pollution that is hard to regulate.
12. Defines litter and penalties for littering water areas.
13. Federal agency that enforces and maintains the laws protecting the environment.
14. Needed if taking 100,000 gallons or more of water from a Georgia water source.
15. Make your own word and matching clue to go here.

Words to use for the Central Word Puzzle

EPA
Clean Water Act
Litter Control Laws
Communities
Water Withdrawal Permit
Drought
Groundwater Use Act
Healthy people
Safe Drinking Water Act
Environmental Protection Division
Coastal Marshland Protection Act
Water Quality
Erosion
Non-point Source

Handout 6 ctd.

CENTRAL WORD PUZZLE

----- W---- ---

---- -------- -A--- ---

------------- ---T------ ---------

E------

------- --R------ ---------- ---

----- --A---- ---

----N- ------ --- ---

D------

-------T---

H------ ------

--------- ------E

------ ------- L---

--A

----- W--------- ------

Handout 7

ABOUT LAWS AND WATER

1. What are two main concerns about our water supply?
   a)____
   b)____
2. Name two reasons why our water problems have increased.
   a) ____
   b) ____
3. Name our two sources of water.
   a) ____
   b) ____
4. Laws made to protect water quality and quantity are made by:
   a) ____
   b) ____
   c) ____
5. Name one law to protect our water.
   ____
6. Tell what the law you named does.
   ____
   ____
   ____
7. Explain what a non-point source of pollution is.
   ____
   ____
   ____
8. Name two things you can do to protect our water supply.
   a) ____
   b) ____

Appendix

The Constitution of the United States of America

PREAMBLE

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

(Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.) The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, (chosen by the Legislature thereof,) for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes.

The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; (and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies).

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust, or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgement, and Punishment, according to Law.

Section 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall (be on the first Monday in December,) unless they shall by Law appoint a different Day.

Section 5. Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and, with the Concurrence of two thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for an against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return in which Case it shall not be a Law.

Every Order, Resolution, or Vote, to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the Unites States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;-And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

(No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.)

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent to the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement of Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE II

Section 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

(The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President;

and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greater Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes the Senate shall choose from them by Ballot the Vice President.)

The Congress may determine the Time of choosing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Officer of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident with the United States.

(In Case of the Removal of the President from Office, or of his Death, Resignation or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.)

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, who Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Section 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III

Section 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;-to all Cases affecting Ambassadors, other public Ministers and Consuls;-to all Cases of admiralty and maritime Jurisdiction;-to Controversies to which the United States shall be a Party;- to Controversies between two or more States;-(between a State and Citizens of another State;) between Citizens of different States;-between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section 3. Treason against the United States, shall consist only in levying War against them, or, in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason, shall work Corruption of Blood, or Forfeiture except during the Life of the Person attained.

ARTICLE IV

Section 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

(No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service of Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.)

Section 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; not any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudge any Claims of the United States, or of any particular State.

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI

All Debts contracted and Engagements entered into, before the Adoption of this Constitution shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

The Ratification of the Conventions of nine States shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

AMENDMENT I (1791)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT II (1791)

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

AMENDMENT III (1791)

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT IV (1791)

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT V (1791)

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War of public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; not shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

AMENDMENT VI (1791)

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

AMENDMENT VII (1791)

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by a jury shall be preserved, and no fact tried by jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

AMENDMENT VII (1791)

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT IX (1791)

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

AMENDMENT X (1791)

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT XI (1798)

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT XII (1804)

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;- The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;- The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all states shall be necessary to a choice. (And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.)- The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist to two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

AMENDMENT XIII (1865)

Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XIV (1868)

Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any salve; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

AMENDMENT XV (1870)

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State o account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XVI (1913)

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

AMENDMENT XVII (1913)

(1) The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

(2) When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

(3) This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution.

AMENDMENT XVIII(1919)

Section 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

Section 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

350

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XIX (1920)

(1) The right citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

(2) Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XX (1933)

Section 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

Section 2. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3rd day of January, unless they shall by law appoint a different day.

Section 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified.

Section 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

Section 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

Section 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

AMENDMENT XXI (1933)

Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

Section 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

AMENDMENT XXII (1951)

Section 1. No person shall be elected to the office of the President more than twice, and no person who has held office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

Section 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three- fourths of the several States within seven years from the date of its submission to the States by the Congress.

AMENDMENT XXIV (1964)

Section 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous state; they shall be in addition to those appointed by the states, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a state; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXIV (1964)

Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States, or any State by reason of failure to pay any poll tax or other tax.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

AMENDMENT XXV (1967)

Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Section 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Section 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, with twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

AMENDMENT XXVI (1971)

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

The Georgia Bill of Rights

PREAMBLE

To perpetuate the principles of free government, insure justice to all, preserve peace, promote the interest and happiness of the citizen and of the family, and transmit to posterity the enjoyment of liberty, we the people of Georgia, relying upon the protection and guidance of Almighty God, do ordain and establish this Constitution.

ARTICLE I. BILL OF RIGHTS

SECTION I. RIGHTS OF PERSONS

Paragraph I. Life, liberty, and property. No person shall be deprived of life, liberty, or property except by due process of law.

Paragraph II. Protection to person and property; equal protection. Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.

Paragraph III. Freedom of conscience. Each person has the natural and inalienable right to worship God, each according to the dictates of that person's own conscience, and no human authority should, in any case, control or interfere with such right of conscience.

Paragraph IV. Religious opinions; freedom of religion. No inhabitant of this state shall be molested in person or property or be prohibited from holding any public office or trust on account of religious opinions; but the right of freedom of religion shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state.

Paragraph V. Freedom of speech and of the press guaranteed. No law shall be passed to curtail or restrain the freedom of speech or the press. Every person may speak, write, and publish sentiments on all subjects but shall be responsible for the abuse of that liberty.

Paragraph VI. Libel. In all civil or criminal actions for libel, the truth may be given in evidence; and, if it shall appear to the trier of fact that the matter charged as libelous is true, the party shall be discharged.

Paragraph VII. Citizens, protection of. All citizens of the United States, resident in this state, are hereby declared citizens of this state; and it shall be the duty of the General Assembly to enact such laws as will protect them in the full enjoyment of the rights, privileges, and immunities due to such citizenship.

Paragraph VIII. Arms, right to keep and bear. The right of the people to keep and bear arms shall not be infringed, but the General Assemble shall have power to prescribe the manner in which arms may be borne.

Paragraph IX. Right to assemble and petition. The people have the right to assemble peaceably for their common good and to apply by petition or remonstrance to those vested with the powers of government for redress of grievances.

Paragraph X. Bill of attainder; ex post facto laws; and retroactive laws. No bill of attainder, ex post facto law, retroactive law, or laws impairing the obligation of contract or making irrevocable grant of special privileges or immunities shall be passed.

Paragraph XI. Right to trial by jury; number of jurors; selection and compensation of jurors.

(a) The right to trial by jury shall remain inviolate, except that the court shall render judgment without the verdict of a jury in all civil cases where no issuable defense is filed and where a jury is not demanded in writing by either party. In criminal cases, the defendant shall have a public and speedy trial by an impartial jury; and the jury shall be the judges of the law and the facts.

(b) A trial jury shall consist of 12 persons; but the General Assembly may prescribe any number, not less than six, to constitute a trial jury in courts of limited jurisdiction and in superior courts in misdemeanor cases.

(c) The General Assembly shall provide by law for the selection and compensation of persons to serve as grand jurors and trial jurors.

Paragraph XII. Right to the courts. No person shall be deprived of the right to prosecute or defend, either in person or by an attorney, that person's own cause in any of the courts of this state.

Paragraph XIII. Searches, seizures, and warrants. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue except upon probable cause supported by oath or affirmation particularly describing the place or places to be searched and the persons or things to be seized.

Paragraph XIV. Benefit of counsel; accusation; list of witnesses; compulsory process. Every person charged with an offense against the laws of this state shall have the privilege and benefit of counsel; shall be furnished with a copy of the accusation or indictment and, on demand, with a list of the witnesses on whose testimony such charge is founded; shall have compulsory process to obtain the testimony of that person's own witnesses; and shall be confronted with the witnesses testifying against such person.

Paragraph XV. Habeas corpus. The writ of habeas corpus shall not be suspended unless, in case of rebellion or invasion, the public safety may require it.

Paragraph XVI. Self-incrimination. No person shall be compelled to give testimony tending in any manner to be self-incriminating.

Paragraph XVII. Bail; fines; punishment; arrest, abuse of prisoners. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

Paragraph XVIII. Jeopardy of life or liberty more than once forbidden. No person shall be put in jeopardy of life or liberty more than once for the same offense except when a new trial has been granted after conviction or in case of mistrial.

Paragraph XIX. Treason. Treason against the State of Georgia shall consist of insurrection against the state, adhering to the state's enemies, or giving them aid and comfort. No person shall be convicted of treason except on the testimony of two witnesses to the same overt act or confession in open court.

Paragraph XX. Conviction, effect of. No conviction shall work corruption of blood or forfeiture of estate.

Paragraph XXI. Banishment and whipping as punishment for crime. Neither banishment beyond the limits of the state nor whipping shall be allowed as a punishment for crime.

Paragraph XXII. Involuntary servitude. There shall be no involuntary servitude within the State of Georgia except as punishment for crime after legal conviction thereof or for contempt of court.

Paragraph XXIII. Imprisonment for debt. There shall be no imprisonment for debt.

Paragraph XXIV. Costs. No person shall be compelled to pay costs in any criminal case except after conviction on final trial.

Paragraph XXV. Status of the citizen. The social status of a citizen shall never be the subject of legislation.

Paragraph XXVI. Exemptions from levy and sale. The General Assembly shall protect by law from levy and sale by virtue of any process under the laws of this state a portion of the property of each person in an amount of not less than $1,600.00 and shall have authority to define to whom any such additional exemptions shall be allowed; to specify the amount of such exemptions; to provide for the manner of exempting such property and for the sale, alienation, and encumbrance thereof; and to provide for the waiver of said exemptions by the debtor.

Paragraph XXVII. Spouse's separate property. The separate property of each spouse shall remain the separate property of that spouse except as otherwise governed by law.

Paragraph XXVIII. Enumeration of rights not denial of others. The enumeration of rights herein contained as a part of this Constitution shall not be construed to deny the people any inherent rights which they may hitherto enjoyed.

Ordering Information

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User Report Form

Note: Please copy this form and leave the original in the binder.

We are interested in your comments on the lessons contained in this supplement. We would appreciate any report of your teaching experience with the lessons and would like to have your suggestions for improvements or additional topics.

Which lessons did you teach? (You may simply give a number if you taught too many lessons to list the titles.)

How did your students react to the lessons?

What, in your judgment, are the strengths and weaknesses of the lessons?

How might these lessons be improved?

What additional law topics are you interested in?

Additional Comments:

Return this form to: Dr. John Hoge, Department of Social Science Education, University of Georgia, Athens, GA 30602

Georgia Elementary Law-Related Education Curriculum Supplements
User Report Form 4-7

Lessons in the K-3 Supplement

Kindergarten and First Grade Lessons

Family Rules

Donna R. Bishop

This lesson enables students to discover the purpose of family rules and the importance of following the rules made by their families.

Assault and Battery

Donna R. Bishop and Ann Blum

This lesson teaches students that when they threaten or harm other people they can be punished and held responsible for their actions. Students learn that neither assault nor battery is the best way to resolve conflict.

Pleasant Pets

Donna R. Bishop

This lesson informs students of pet ownership responsibilities defined by Georgia's laws.

How Much Should I Take?

Donna R. Bishop

This lesson introduces basic safety precautions in handling medicines and teaches students that misuse of medicine is harmful and illegal.

Endangered Species: Whales

Donna R. Bishop

This lesson broadens students' awareness and knowledge of the environmental laws that protect endangered animals.

Buckle Up! It's The Law

Donna R. Bishop

This lesson teaches students the seatbelt law and how to use seatbelts properly.

The Three Billy Goats Gruff Get Rebuffed

Donna Carney

This lesson introduces students to the meaning of trespassing and its legal consequences.

Litter Bug Busters

Eloise T. Glorieux

This lesson informs students of laws about littering and helps them learn how to assist in keeping their environment clean.

Vandalism Hurts Everyone

Eloise T. Glorieux

This lesson teaches students about the nature and consequences of vandalism.

Ms. Mediator, The Puppet

Janice Habersham

This lesson teaches students how to use mediation as a way to settle disagreements without fighting, name calling, or having bad feelings.

Does This Belong To You?

Janice Habersham

This lesson gives students a basic understanding of Georgia's theft laws and helps students recognize that treating others' property with care is important.

The Web Of Order

Janice Habersham

This lesson helps students understand the reasons for rules in the classroom.

Child Abuse Is Against The Law — **Janice Habersham**

This lesson teaches children they have the legal right not to be abused and provides them with knowledge about reporting child abuse.

Who Will Take Care Of Me? — **Kimberly M. Lord**

This lesson informs students of Georgia's child custody laws.

Justice For All — **Evelyn Wages**

This lesson introduces students to the concept of justice and its achievement through rules and laws applied equally to everyone.

Let's Not Kill The Water — **Evelyn Wages**

This lesson informs students of state and federal laws that help protect our water and teaches students ways they and their families can prevent water pollution.

Too Much Noise! — **Evelyn Wages and Ann Blum**

This lesson raises student awareness of noise as a problem that can endanger health and safety and informs them about laws regulating noise.

Second and Third Grade Lessons

Bicycle Safety for Everyone — **Joyce Alexander**

This lesson informs students of Georgia's bicycle safety laws and provides practice in the democratic lawmaking process.

Litter--It's A Mess! — **Jane Anderson**

This lesson informs students about Georgia's litter laws and makes them more aware of the role they play in keeping the environment clean.

Man's Best Friend–Pet Or Pest? — **Jane Anderson**

This lesson informs students of Georgia's laws about pet care and stresses the responsibilities of ownership.

Responsible Parents And Children — **Jane Anderson**

This lesson informs students of their own and their parents' legal responsibilities to each other.

Family Rules, Government Laws — **Andrew Faraca and Ann Blum**

This lesson teaches students that rules have purposes, vary among groups, and generally carry consequences.

What Did You Call Me? — **Sharon Fletcher and Kathleen Judge**

This lesson informs students of Georgia's laws regarding libel and slander and their liability regarding such statements.

Classroom Constitution Or We The People — **Eloise Glorieux**

This lesson provides students with a basic understanding of what a constitution is and how it is used to make rules. It also stresses the importance of rules and provides practice in democratic rule-making.

The Resolution Tree **Janice Habersham**

This lesson teaches students a non-violent conflict resolution process.

Save Me! **Carol Strickland Hall and Ann Blum**

This lesson introduces students to the many animals that are endangered, the reasons they are endangered, the laws protecting endangered species, and ways students can help protect endangered animals.

Are You Playing Or Breaking The Law? **Carol Strickland Hall**

This lesson teaches students Georgia's laws on the crime of battery.

When You Play On Other's Property, Are You Committing A Crime? **Carol Strickland Hall**

This lesson introduces students to Georgia's trespassing laws and helps them understand why trespassing is unwise.

Please Don't Hurt Me! **LoDoris Leavell**

This lesson teaches students about their legal right not to be abused and helps students identify community resources for reporting child abuse.

Who's Calling Please? **LoDoris Leavell**

This lesson teaches students that making harassing, obscene, or threatening telephone calls is a crime. Students also learn what to do if they or their families receive such calls.

Pay For What You Get **Evelyn Wages**

This lesson introduces Georgia's laws prohibiting shoplifting and informs students that these laws apply to children as well as to adults.

False Alarms **Evelyn Wages**

This lesson informs students about Georgia's false alarm laws and provides practice in making emergency service calls.

Air Pollution Kills **Evelyn Wages and Ann Blum**

This lesson introduces students to the problems of air pollution, laws regulating air pollution, and ways to reduce air pollution.

1785

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